3-cv-00127-MMD-WGC Documer	EN TERED RECEIVED		
IN THE UNITED STAT FOR THE DISTRIC	ES DISTRICT COURT		
	CLERK US DISTRICT COURT  DISTRICT OF NEVADA		
·	IN EQUITY NO CPE25TY		
	SUBFILE NO. C-125-B		
	) )		
	)		
a corporation, et al.,	)		
NOTICE OF APPEARANCE AN	ID INTENT TO PARTICIPATE		
1 Lharaby anter my appagrance in t	this sub-proceeding in this case		
directed on the Notice In Lieu of Summons:	EDISTIFICE Court at the following address and as		
Chief Deputy Clerk	tha		
District of Nevada			
Reno, Nevada 89501	301		
3. I (or the entity on whose behalf I a	m acting) will retain all defenses or objections		
to the lawsuit or to the jurisdiction or venue of the	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
in the Notice in Lieu of Summons or in the serv	vice of the Notice in Lieu of Summons.		
4. If I (or the entity on whose beh	alf I am acting) have retained an attorney to		
represent me in these proceedings, I identify tha	t attorney below, along with his or her mailing		
address, telephone number, facsimile number, a	and e-mail address:		
Attorney:			
Address:			
	FOR THE DISTRICUNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs.  WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., NOTICE OF APPEARANCE AN  1. I hereby enter my appearance in the directed on the Notice In Lieu of Summons: Chief Deputy Clerk United States District Court for District of Nevada 400 South Virginia Street, Suite Reno, Nevada 89501  3. I (or the entity on whose behalf I at to the lawsuit or to the jurisdiction or venue of the in the Notice in Lieu of Summons or in the servent of the intervent of the intervent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the intervent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the entity on whose behalf I at the Notice in Lieu of Summons or in the servent of the Notice in Lieu of Summons or in the servent of the Notice in Lieu of Summons or in the servent of the Notice in Lieu of Summons or in the servent of the Notice in Lieu of Summons or in the servent of the Notice in Lieu of Summons or in the servent of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Summons of the Notice in Lieu of Summons or in the Su		

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 2 of 102

T	FHORE Number.
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	
12	
13	(Signature)
14	
15	
16	(Printed or typed Name)
17	
18	
19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
24	(Telephone number)
25	
26	
27	
28	

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 3 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)
Plaintiff,	)
WALKER RIVER PAIUTE TRIBE,	)
Plaintiff-Intervenor,	) ) ) IN EQUITY NO. C-125
VS.	) SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) NOTICE IN LIEU OF SUMMONS
TO:	
Christina Baker	
865 Eastside Lane #10	

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

Coleville, CA 96107

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 4 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor, vs.	) )	IN EQUITY NO. C-125 SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) )	NOTICE IN LIEU OF SUMMONS

TO:

Donald J. Berinati 4210 Del Curto Drive Reno, NV 89523

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in § 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 5 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
vs.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS

TO: California Department of Parks & Recreation Legal Department PO Box 266 Tahoma, CA 96142

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 6 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	) )	OUTTY NO. C 124
vs.	,	QUITY NO. C-125 FILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	,	ICE IN LIEU OF IMONS

TO: State of California Water Resources Control Board 1001 I Street Sacramento, CA 95812

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 7 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

)
)
)
) ) ) IN EQUITY NO. C-125
) SUBFILE NO. C-125-B
) ) NOTICE IN LIEU OF SUMMONS

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

Reno, NV 89502

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 8 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor, vs.	,	IN EQUITY NO. C-125 SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	,	NOTICE IN LIEU OF SUMMONS

TO:

Debra Marie Courtney 1160 Rayborn Drive Reno, NV 89502

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 9 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)
Plaintiff,	)
WALKER RIVER PAIUTE TRIBE,	)
Plaintiff-Intervenor,	) ) ) IN EQUITY NO. C-125
VS.	) SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) NOTICE IN LIEU OF SUMMONS
TO: Jean Courtney 1160 Rayborn Drive	
Reno, NV 89502	

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

NOTICE IN LIEU OF SUMMONS

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 10 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
vs.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) )	NOTICE IN LIEU OF SUMMONS
TO:		
Robert Cramer		
7 Stanley Lane		
Yerington, NV 89447		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 11 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)
Plaintiff,	)
WALKER RIVER PAIUTE TRIBE,	)
Plaintiff-Intervenor,	) ) ) IN EQUITY NO. C-125
vs.	) SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) NOTICE IN LIEU OF SUMMONS
TO:	
Robert R. Curry	
600 Twin Lane	
Soquel, CA 95073	

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

NOTICE IN LIEU OF SUMMONS

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 12 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)
Plaintiff,	)
WALKER RIVER PAIUTE TRIBE,	)
Plaintiff-Intervenor, vs.	) ) IN EQUITY NO. C-125 ) SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) NOTICE IN LIEU OF SUMMONS
TO: Loretta Beth Eitel-Marti P.O. Box 1738	

You have been named as a Defendant in a civil action filed in the United ates District Court in Reno, Nevada, entitled United States v. Walker River Irrigation District

States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 13 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	) )	IN EQUITY NO. C-125
vs.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS

TO: Brett A. Emery 1999 Revocable Trust dtd 12/27/1999 Brett A. Emery, Trustee PO Box 758 Bridgeport, CA 93517

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 14 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)
Plaintiff,	)
WALKER RIVER PAIUTE TRIBE,	)
Plaintiff-Intervenor,	) ) ) IN EQUITY NO. C-125
VS.	) SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) NOTICE IN LIEU OF SUMMONS
TO: Donald M. Johnson c/o Brett Emery PO Box 758	
Bridgeport, CA 93517	

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 15 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
vs.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS
TO:		
Steve Marti		
P.O. Box 1738		
Gardnerville, NV 89410		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 16 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff, WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT,	)	IN EQUITY NO. C-125 SUBFILE NO. C-125-B
a corporation, et al.,	, )	NOTICE IN LIEU OF SUMMONS
TO: Park Livestock Company PO Box 53		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

Topaz, CA 96133

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 17 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)
Plaintiff,	)
WALKER RIVER PAIUTE TRIBE,	)
Plaintiff-Intervenor,	) ) ) IN EQUITY NO. C-125
vs.	) SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) NOTICE IN LIEU OF SUMMONS
TO:	
Richard Smith	
P. O. Box 576244	
Modesto, CA 95357	

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 18 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
vs.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS
TO:		
Donna Smith		
P. O. Box 576244		
Modesto, CA 95357		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

NOTICE IN LIEU OF SUMMONS page 1 of 5

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 19 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
vs.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS

TO: Rockhound Family 1991 Trust dtd 4/11/1991 Vivian L. Smith, Trustee P. O. Box 576244 Modesto, CA 95357

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 20 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNIT	ED STATES OF AMERICA,	)	
	Plaintiff,	)	
WAL	KER RIVER PAIUTE TRIBE,	)	
	Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
	VS.	)	SUBFILE NO. C-125-B
	KER RIVER IRRIGATION DISTRICT, poration, et al.,	)	NOTICE IN LIEU OF SUMMONS
TO:	Swauger Ranch Inc. Tom Summers, RA 116116 Hwy 395 Topaz, CA 96133		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 21 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
vs.	) ) )	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS

TO: Topaz Lake Mobile Home Park, LLC Linda Beekhof, RA 1480 Hanslope Way Gardnerville, NV 89410

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 22 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS
TO THE STATE OF TH	)	
vs.	)	SUBFILE NO. C-125-B
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff,	)	
UNITED STATES OF AMERICA,	)	

TO: Ramon V. and Myrna E. Valdez 2003 Revocable Trust uta Dated April 8, 2003 Myrna E and Ramon V. Valdez, Trustees P.O. Box 2052 Bridgeport, CA 93517

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 23 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
VS.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS
TO:		
Ramon V. Valdez		
P.O. Box 2052		
Bridgeport, CA 93517		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 24 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C-125
VS.	)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS
TO:		
Myrna E. Valdez		
P.O. Box 2052		
Bridgeport, CA 93517		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 25 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AME	RICA,	)	
Plaintiff,		) ) )	
WALKER RIVER PAIUTE	TRIBE,	)	
Plaintiff-Interv	venor,	) ) )	IN EQUITY NO. C-125
vs.		)	SUBFILE NO. C-125-B
WALKER RIVER IRRIGAT a corporation, et al.,	ION DISTRICT,	) )	NOTICE IN LIEU OF SUMMONS
TO: Virginia Lake Mutual PO Box 3522 Truckee, CA 95734	Water Co.		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 26 of 102

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	
Plaintiff-Intervenor,	)	IN EQUITY NO. C 125
vs.	)	IN EQUITY NO. C-125 SUBFILE NO. C-125-B
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	NOTICE IN LIEU OF SUMMONS
TO:		
Louis H. Watkins		
10735 Tuxford Street		

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Painte Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

Sun Valley, CA 91352

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 27 of 102

case.

Second, the Court intends use of the form attached to the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS for each and every sale or other conveyance of the ownership of all or a portion of any water right within any of the nine categories set forth in PARAGRAPH 3 of the CASE MANAGEMENT ORDER (Apr. 18, 2000). This Order requires you to notify the Court if you transfer any portion of your water right to another person or entity. That notice must include identification of the water right subject to the transfer, the nature of the transfer, and the name and address of the recipient of the water right. You should review this Order carefully and retain copies of it and the attached form entitled NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT for your use.

Dated: December 23, 2

[Seal of District Court]

Lance Wilson, Clerk of Court

Wayne Julian, Deputy Clerk of the Court

This Notice is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure and the CASE MANAGEMENT ORDER (Apr. 18, 2000).

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 28 of 102

Copies of your NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE shall also be mailed to 1/2:

Susan L. Schneider Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division 1961 Stout Street, 8th Floor Denver, Colorado 80294

The plaintiff, the United States of America, has filed a FIRST AMENDED COUNTERCLAIM in the United States District Court for the District of Nevada, in an action entitled *United States v. Walker River Irrigation District*. The plaintiff-intervenor, Walker River Paiute Tribe, has also filed a FIRST AMENDED COUNTERCLAIM in the same case. A copy of each FIRST AMENDED COUNTERCLAIM is attached to this notice. The documents have been filed in the District Court and have been assigned docket number In Equity C-125, Subfile C-125-B. Also attached is the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case.

The materials in this package include seven [7] documents that you should review; please note that two of these documents address the sale or other conveyance of your water rights or if you believe that you should not be a party to this lawsuit. These documents are listed in Attachment A to this Notice in Lieu of Summons, and are explained below. Please read these materials carefully, as they are important to your legal rights and legal obligations.

There are also two Orders included herein that require you to provide certain information to the Court and the United States in two different circumstances. First, the Court anticipates use of the form attached to the ORDER – DISCLAIMER OF INTEREST in connection with the initial service upon you of the documents in this package if you have no interest in any water right within any of the nine categories of PARAGRAPH 3 of the CASE MANAGEMENT ORDER (Apr. 18, 2000). If you contend that you have been included in this litigation in error because you have no such interest, you should follow the directions in the ORDER – DISCLAIMER OF INTEREST and provide the information and documents requested. Following receipt of any DISCLAIMERS OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER and the accompanying information and documents, plaintiffs will review the materials received and, if appropriate, seek the Court's concurrence in omitting you from this

<sup>&</sup>lt;sup>1</sup>/The Court has omitted the requirement in the Case Management Order to Mail copies to the Walker River Paiute Tribe, the Walker River Irrigation District, and the States of Nevada and California.

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 29 of 102

#### Attachment A

Enclosed are the following seven [7] documents:

- 1. Notice in Lieu of Summons: That is the title of this document (see title at the top of this page). Please begin your review with this 5-page double-sided document.
- 2. Notice of Appearance and Intent to Participate: (This document is single-sided.) You are hereby summoned and required to file this Notice of Appearance and Intent to Participate with the United States District Court for the District of Nevada within 60 days after service upon you of the enclosed First Amended Counterclaim of the United States of America and the First Amended Counterclaim of the Walker River Paiute Tribe. You must file the original with the District Court and send a copy of the document to each of the attorneys identified above. Please keep a copy of the document for your records.
- 3. <u>First Amended Counterclaim of the United States of America</u> (July 31, 1997). (This document is double-sided.)
- 4. <u>First Amended Counterclaim of the Walker River Painte Tribe</u> (July 31, 1997). (This document is double-sided.)
- 5. <u>Case Management Order</u> (Apr. 18, 2000). (This document is double-sided.)
- Order and Form Disclaimer of Interest: This Order requires you to notify the Court 6. and the United States if you contend that you have been included in this litigation in error because you have no interest in any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000). If you contend that you have been included in this litigation in error, the Order -- Disclaimer of Interest also requires you to provide certain information and documents related to the transfer of water rights that would be part of this litigation. If you disclaim any water right in this litigation, you must comply with the Order -- Disclaimer of Interest, and you may use the form entitled Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer, which is attached to the Order -- Disclaimer of Interest, to provide this information. (The Order --Disclaimer of Interest is double-sided. The form Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer is single-sided.) Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.
- 7. Order and Form Regarding Changes in Ownership of Water Rights: This Order requires you to notify the Court and the United States whenever during the course of this litigation you sell or otherwise convey ownership of all or a portion of any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000). If you sell or otherwise convey any water right in

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 30 of 102.

this litigation, you must comply with the Order Regarding Changes in Ownership of Water Rights, and may use the form entitled Notice of Change of Ownership of Water Right, which is attached to the Order Regarding Changes in Ownership of Water Rights, to provide this information. You should retain this Order and the attached form for use whenever appropriate during the course of this litigation. You may also wish to make additional copies of the form attached to the Order for use if you sell or otherwise convey ownership of applicable water rights on more than one occasion during the course of this litigation. You should note that this Order also requires you to provide certain information and documents related to the transfer of water rights. (The Order Regarding Changes in Ownership of Water Rights is double-sided. The form Notice of Change of Ownership of Water Right is single-sided.)

Counterclaimant

## Case 3:78-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 32 of 102

1	. vs. WALKER RIVER IRRIGATION DISTRICT,	)
2	WALKER RIVER IRRIGATION DISTRICT,	)
3	Counterdefendant,	)
4		)
5	STATE OF NEVADA,	)
6	Intervenor-Counterdefendant,	)
7	Acciari, Dennis; Acciari, Linda; Acciari Ranch Supply, Inc.;	)
8	Acosta, Alexis R; Acosta, Joe W; Adams, Gregory B; Adams,	)
9	Richard T; Ag Heritage Development; Aguiar, George B;	)
10	Aguiar, Janiel M; Aiazzi, Cynthia J; Aiazzi, Estelle M; Aiazzi,	)
10	Gary R; Aiazzi, Pete A; Albee, Florence M; Albee, William E;	)
11	Albright, Samuel & Cheryle Family Trust Agreement; Allen, Catherine M; Allen, Doris J; Allred,	ノ 3
12	Evan L; Alonzo, Rose M; Anaconda Minerals Co.; Anderson,	)
13	Brian D; Anker, Alton; Anker, Susan; Annett's Mono Village; Antelope Valley Mutual Water Co.; Arcularius, Lorna Trust	)
14	Agreement; Arimetco, Inc. (International); Armstrong Family	) }
	Trust; Arrache 1990 Family Trust; Arrighi, Deborah F;	)
15	Arrighi, Mark N; Arsenio Family Trust; Ash, Kimberly L;	)
16	Atlantic Richfield Co. [ARCO]; Attaway, C & J Family Trust;	)
17	Bacon, Milton E, Jr. 1992 Trust; Bacon, Milton E; Bakker,	)
	Douglas A; Bakker, Lora L; Balaam, Donald A; Balaam, Olga M; Baptist 1999 Family Trust; Bar Keystone Ranch, a General	) \
18	Partnership; Barber, Harriet Revocable Trust; Bartlett, Linda	)
19	Lodato; Batchelder, Josephine Shipley and Fred C 1983 Family	)
20	Trust; Bath, Barbara C; Bath, Ronald J; Batjer, Cameron M	)
	Family Trust; Batjer, Christina; Batjer, Marybel; Bauer, Clyne	)
21	P. Trust, 1995; Beach, Donna Costa; Beckius, Kathleen M;	)
22	Bein, C Ellen; Bein, Richard H; Bell, Brian William; Bently Family Limited Partnership; Berrington, Gary M; Berrington,	)
23	Susan P; Bitler, Ken & Peggy Family Trust; Blackford, Kathy S;	)
	Blair, Ellen C; Blakely Family Living Trust; Blanchard 1988	)
24	Living Trust; Blasco, James M; Blasco, James M Family	)
25	Ltd. Partnership; Blasco, Pamela A; Bledsoe, Alan A; Bledsoe,	)
26	Carol A; Bobrick, Ruth E; Bobrick, Thomas Trust; Bobzien, Dolores J; Bodenstein, Irene M; Bodenstein, J. Kirk; Boggs,	)
27	Pamela S; Boggs, Williams S; Bohlin, Eleanor M; Bohlin,	)
28	Vera J; Bohlin, William B; Bohlin, William L; Bolt, Billy F;	)

### Case 3: 3-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 33 of 102

Bolton, Charles V, III; Bolton, Kelly; Bolton-Rose Surviving Trust; Booth, Karen; Borsini, Dale; Borsini, Norma J; Borsini Ranch, Inc.; Botelho, Jacqulyn J; Botelho, William D; Bozsik, Albert 2 S, Jr.; Bozsik, Olivia V; Bracken, Vincent S; Brackett, John J; Bradshaw, Leslie; Bradshaw, Pauline; Break-A-Heart, LLC: Brethauer, Clarence D; Brethauer, Janet R; Bromley Family Trust; 3 Brönneke, Samuel P Family Trust; Brown, Beverly E; Brown, Darrol J; Brown, Joel Wesley; Brown, Lois L; Brown, Norman D, Inc.; Brown, Ross; Brown, Sandra Gail; Bryan, Elizabeth J; Bryan, John L; Bryan, Vernon F, Inc.; Burchett, Joseph L; Burnett, Kenneth R; Burnett, Sharon L; Busch, Brett Alec; Bush, Jack E; Buster, David C; Buster, Gayle L; Butterly, Ellen; Buttler, Jeri; Bye, Jean Leslie; C.E.A.S. Co., Inc.; Cabral, Joseph P & Norma J 2002 Revoc. Lvg. Trust Agreement; Caldwell, Charles S & Lura Batjer Trust; California Dept. of Fish & Game; Callaham, Sandra J; Calvest Associates; Cantrall, Nolan and Nancy Family Trust Agreement; Capurro, Janice E Trust; Capurro, Robert S & Suzanne Family Trust; Carey, Diane; Carey, John L; Carlin, Paul Kent; Carlin, Shelley; Carlini, Tod F Trust; Carlson, Bill Eric & Sharon Marie Trust Agreement; Carlson, Bill Eric; Carlson, Sharon Marie; Carpenter Living Trust; Carpenter Nevada, LLC; Carrasco, Elizabeth; Carrasco, Ray W; Casey, Claudia C; Casey, Michael A; Cashell Investments, 10 LLC; Casino West, Inc.; Cavell, Richard J; Cefalu John N; Cefalu, Judith A; Centennial 11 Livestock; Chase, Helen B; Chase, Irving Maxon Living Trust; Chase, Russell E; Chevron Resources; Chichester, Dwain; Chichester, et al.; Chichester Ranches; Chichester, Rhoda J; 12 Chichester, Robert L., Jr.; Chichester, Ross J; Chico, James V, Jr.; Chico, Jennifer; Chilcote, 13 David G; Chisum, Inc.; Christensen 1989 Trust; Christof, Brian S; Cid, Elaine C; Circle Bar N Ranch, LLC; Circle Bar N Ranch, A Nevada Partnership; Clark Family Trust; Clark, Donna K; Clark, Patricia D; Clements Family Trust; Cliff, Donald A; Cliff, Norman E; Cline, Caroline K; 15 Cline, Jack R; Collins, Judy; Compston Family 1982 Trust; Compston Joint Revocable Inter Vios Trust; Congdon, Peter F; Congdon, Stacy Loretz-; Cook, Gary; Cook, Margaret; Cooper, John; 16 Cooper, Robert; Costa Ranch, LP; Cox, Kim K.; Crandall, Susan Jill; Cremetti, William G Trust; Crosby, Fred; Crosby, Judy; Crystal Clear Water Co., Inc.; Cummings, Marvin O; Cummings, 17 Milena; Curtis Family Trust; D & S L I, LLC; D & S Waste Removal, Inc.; Dane, Frank R; Dane, 18 Susan M; Davis, Diana; Davis Family Trust; Davis, Garry E & Dianne M Family Trust; Day, Sandra K; Day, Stephen R; Day's Desert Creek Ltd.; DeChambeau, Susannah W; Dechambeau, 19 Scott I; Del Porto, Daniel E; Del Porto, Cherryl Ann; Del Porto, Julie A; Denton, Joseph W; 20 Denton, Linda M; Desert Lake Campground; Desert Pearl Farms; Diehl Family 1999 Revocable Living Trust; Diekmann Trust Agreement; Dinneen Family 1997 Trust; Dockum, Don M. & Cheryl F; Domenici, Joseph & Gladys Family Trust; Domenici-Reese, Lona Marie; Donovan, 22 Dwight; Donovan, Heather; Douglas County: Topaz Lake Park, Topaz Ranch Estates Park, Topaz Ranch Estates GID; Douglas, 23 Debra A Draper-; Douglas, Steven M; Dressler, DeVere; Dressler, Milton; Dressler, Roxanne; 24 Dressler, Tonja; Dreyer, Joan; Dreyer, Roland; Dunn, Daniel D; Dykes Family Trust; E.L.W. Ranches, Inc.; Eaton, Joan C; Eaton, Kenneth A; Edwards, Shelley; Ehly, Desiree; Ehly, George; 25 Ehrhart, Janice O; Ehrhart, Thomas A; Eller, Colby D; Eller, Julia C; Elordi, Deva; Emens, 26 Annette M; Emens, Theodore A; Englert, Stephen; Estrada Family Trust; Evangelista, Gerardo; Evangelista, Laurie; Everett, Virginia M; Ewert Family 1995 Trust; F & B Trust; F.I.M. 27

Corporation; Fairbanks, Robert L. [Duffer]; Fannin, Glenn D; Fannin, Tracey L; Faria, Edwin F;

28

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 34 of 102

Faria, Marty L; Farias, Carmen; Farias, Harold W; Farias, LLC; Farias Wheel Ranch, Inc.; Fawcett, Lawrence Edward; Fenili, Peter A; Fenili, Veronica Jean; Fesko Family Trust; Fine, 2 James Samuel; Fine, Jill Marie; First Union National Bank; Fitzpatrick, Debra; Fitzpatrick, Ted; Five (5) C's Cottonwood Ranch, LLC; Fleck, Brenda L; Fleck, Dewey A; Fletcher, Marie L; 3 Fletcher, Michael S; Fletcher, Ruth; Fletcher, Teri L; Fletcher, Wesley L; Floyd, Betty; Floyd, Frank: Flying A Ranch, a Nevada Limited Partnership; Flying A Limited Partnership; Forrester, Pamela A: Forrester, Wendell B; Foss, Thomas A; Four G Corporation; Fousekis, James; 5 Fousekis, Susana; Frade Ranch, Inc.; Franklin, Carl; Franklin, D Camille; Fraser, Betty; Fraser 6 Family Trust: Fraser, George; Freitas, Barbara L; Freitas, Elizabeth; Freitas, Maurice H; Frey, Kerry M; Fry, Deborah; Fry, Jill Christine; Fry, Michael; Fry, Paul J III; Fulstone, David H Co.; Fulstone, F. M., Inc.: Fulstone, James H: Fulstone, R. N. Co.; Fulstone, Steven A 1989 Trust; Funk Trust; G Lazy B Partnership; Gable, Don Ray; Gansberg, Chris H, Jr.; Gansberg, Fave E; Garcia, Jeffrey M; Garcia, Kealoha; Garms Estate; Garms, Gary J. & Toni J. Revocable 9 Community Property Trust; Garrett, Robert A; Gattuso, Kim I; Gerbig, Arden; Gerbig, Evilo J; Gerrard, John R Trust; Gill, Joseph P; Giodo, Joseph A Revocable Trust; Giorgi, Donald; Giorgi, Lynda Hunewill; Giorgi, Ugo & Florence A Family Trust; Gisler, Otto A Trust; Glasner, Grover 11 F; Glass, Daniel G; Glass, Patricia J; Glassburn, Ted; Glassburn Theresa; Gleason, James G; Gleason, Marla D; Glock, Audrey; Glock, Ernest; Godde, Forest G. Trust; Goffinet, Cheryl L; 12 Goffinet, Lonnie K; Gordon Revocable Trust; Goss, Ronald W; Goss, Sandra A; Graham, Gene 13 G: Graham, Margaret F; Granata, Helen C Estate; Gray, Mary Family Trust Agreement; Grayot, Margaret R; Greenfield Mobile Home Park, NV LLC; Greggersen, Marlene J; Greggersen, Paul A; Gregory Family Trust; Groso, Angelo; Groso, David; Groso, Ernest & Maxine Jo 2000 Family 15 Trust: Groso, Nancy; Guild, Rolene Pitt Living Trust; Gutierrez, Teresa M; Guy, Willis H; Haas, Pamela J: Hall, Craig & Kris J Family Revocable Living Trust; Hall Family Trust Agreement; 16 Hall, Herbert; Hall, Rachele M; Hammack, Raymond B; Hammack, Sonya; Hammond, Judith 17 Revocable Living Trust; Hanson, Leona; Hardrock Mining Co.; Hardy, Karen Lund; Hargus, John and Blinn, Adah M. Trust; Harrison, Ben & Linda Trust; Harrison, John W; Harrison, Sandra L; 18 Hawkins, Margaret; Hawkins, Terry; Hawkins, Patricia L, MD; Hawthorne, Town of; Hawthorne 19 Utilities; Hawthorne Water System; Hayes, Deborah A; Hayes, Jonathan C; Hefner, Marcia E; Hefner, Tommy M; Heimerman, John/Leona Family Trust; Helmuth, George; Helmuth, Pamela 20 Hemsath, Richard Scott; Henderson, Robert B; Henderson, Rose M; Henker Family Trust Agreement: Hernandez, Audelia; Hernandez, Isidro V; Hervin, Kurt W; Hervin, Patricia; Hervin, Reiko: Hill, B Roxann; Hill, Jon A; Hilton Family Trust; Hiskett, Carl William; Hiskett, Phyllis 22 Ann: Hitchcock, Cindy L: Hitchcock, Gerald; Holbrook, Constance Y; Holbrook, Richard H Sr.; Holbrook, Richard H & Constance Y Trust; Holbrook Station RV and Mobile Home Park; 23 Holmes, Doris Trust; Homestretch Geothermal, LLC; Huggans, Jan K; Hume, Jayne E; Hume, 24 Michael T; Hunewill Enterprises, LLC; Hunewill, Harvey E & Phyllis P Trust; Hunewill, Janet Bliss; Hunewill Land & Livestock Co.; Hunewill, Phyllis; Hunewill, Stanley L; Huntley, Mark 25 A: Hutchins, Karen; Hutchins, Leland; Hutchison Family Revocable Living Trust; Huuha, Paul 26 A; Hyne, Frances L; Hyne, Marshall; Ingerson, Larry; Ingerson, Trudy; Ireland, Mariann; Ireland, Ward W; Ithurburu, John; Ithurburu, Marilyn; Jacobus, Samantha S; Jakobson Investment 27 Corp.; Jason Corporation; Jenkins, Joyce; Jenkins, Larry D; Jensen, Chris; Jensen, Jack E; 28

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 35 of 102

Jensen, M O: Jesch Family Trust: Johnson, Joseph W; Jones, Casey M; Jones, Mary C: Jones Family Foundation, Inc.; Julian, Jay & Darlene Family Trust; Jurica, Mary E; K & K Water, Inc.; 2 Kahn Family Trust of 1993; Kelley, Dr. Donald; Kennedy, Dale & Cleo Family Trust; King, James Allen; King, Judith R; Knoche, Anne Tweet; Knoche, Craig F; Kottke Living Trust; Kraft 3 Family Trust; Kraft, Kevin; L & M Family Limited Partnership; Lamoreaux, Frances Trust; 4 Landolt, Beverly J; Landolt, Joseph G; Landolt, Joseph G & Beverly J.Trust; Langner, Donald H; Langner, Lorraine: Langner Family Trust: Lantana Ranch Family Limited Partnership; Lapham, 5 Joanna M; Lapham, Willis H; Lawson, Nettie E; Lawson, Ronnie D, Sr.; Lazy S Lodge; Lee Ivey 6 Ranch, Inc.; Lee, James; Lee, Linda P; Lee, Thomas W; Lee, Wallace J; Lehmer, Debra S; Lehmer, Steven M; Leinassar, Alan S; Leinassar, Marianne; LekumberryFamily 2001 Trust: Leland, Anne M; Leland, Britt M; Lewis, Rob Edward; Ligtenberg Family Trust; Lind, Craig R; 8 Lind. Sandra: Linscott. Mariorie M.: Linsenmier, Jack L: Linsenmier, Wilma H: Little, David M Family Trust Agreement: Little, Bonnie: Little, David Jr.; Lloyd, Thomas L; Loll, Daniel T; Loll, Harry S; Loll, John C; Loll, Margaret M; Loll, Phillip G; Loll, Raymond C; Lommori, Joseph J 10 and Bessie J Trust; Lommori, Julio & Delia Family Trust; Lommori, Karen I; Lommori, Kenny D: Lommori, Natale, Jr.; Lommori, Scott D & Leslie Family Trust; Ludel, Donna Lee; Ludel, 11 Samuel Moses; Lund, Hans N & Marie N Trust; Lyon County School District; Lyon County Courthouse; Lyon County Public Works; Lyon County, Elm Tree Cemetery; Lyon, County of; 12 Lyon County Fairgrounds; Lyon County Cemetery II; Mabe, James A; Mabe, Sandra R; 13 MacBride, John; MacBride, Pam A; Madden Family Trust; Madden, Gerald; Madden, Lois; Magee, Ruth J Revocable Trust; Mahan, Mark S; Malek, John; Manha, Lorraine N; Manha, William D: Mann, Charles F; Mann, Luetta A; Marraccini, Darrell; Marraccini, Lisa; Marriott, 15 Jack D; Marriott, Jane C; Marriott, Larry W; Marriott, Lonnie E; Marriott Nancy; Marriott, Sandra J; Marriott, Sandra K; Masini, Carroll G & Maria O Trust; Masini Investments; Masini, 16 Lawrence B; Mason Valley Loyal Order of Moose; Masterson 2000 Trust; Mathas, John A; 17 Mathas, Nancy J: Mathewson, Charles N, Trust: Mattice, Crystal Lindsey; Mattice, Duane; Mattice, James L; Mattice, Mary L; Mattice, Dena L; Mattice, John E; Mayne, Georganna P; 18 Mayne, Larry A; McBee, Cheryl E; McBee, Michael P; McCargar, Doris; McCargar, Edward 19 James, Jr.; McClain, Terry Lee; McClain, William T; McCoy, Cheryl; McCoy, Lee A Jr.; McNamara, Carolyn K; McNamara, Roger B; McWhirter, Mildred K Estate; Menesini, Cynthia 20 L [Mrs. Donald]; Menesini, Cynthia L [Mrs. Ronald]; Menesini, Donald G; Menesini, Edward L; Menesini, Grace; Menesini, Kristie L; Menesini, Orlando; Menesini, Ronald D; Menesini, Randy Ellis; Menesini, Reema Marie; Merrill, Bradford C; Merrill, Lana Galyean; Merritt, David L; 22 Merritt, Teresa C; Merriwether, Sherri A; Merriwether, William A; MICA Farms, LLC; Miller, Christie A; Miller, Dennis R; Miller, Edmund; Miller, John M; Miller, Linda; Miller, Robert J, 23 Jr.; Mineral County Commissioners; Mineral County School District; Mineral County; Mitchell, 24 Ginger; Mitchell, Ronald; Moline, David; Moline, Laura; Mono County; Montgomery, Mary Louise; Moore, Harold; Moore, Harold Trust; Moore, Micki J; Moore, Rosetta M; Moore, Steven 25 H; Moreda, Clarence J Family Trust Agreement; Moreda Dairy; Morgan Family 1996 Trust; 26 Morose, Dan C; Morose, Tara L; Moss, Jimmy A; Motley Living Trust [12/23/70]; Motley, Patricia A; Motley, Philippa; Motley, Robert III; Muir, Marjorie R; Muir, Thomas K; Munson, 27 Dolores N; Nagel, Robert R; Nagel, Shirley J; Nannini, Anna Revocable Trust; Neibauer, John J; 28

### Case 3:173-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 36 of 102

6

8

11

13

15

28

Neibauer, Winifred A; Nesmith Family Trust Agreement; Neuhauser, Geneva Ruth; Neuhauser, Larry D; State of Nevada (Nevada Dept of Transportation; Nevada Div. of Wildlife); Nevada-Utah Assoc, of Seventh Day Adventists; Nevin, Melba; Nichols, William H; Nuti Brothers; Nuti, Cynthia; Nuti, Lawrence M; Nuti, Leslie J; Nuti, Mary E; Nuti, Mary R; Nuti, Michael A; Nuti, Nancy J; Nuti, Ralph E; Nuti, Ralph C; Nuti Richard B; O'Banion, James R; O'Sullivan Plastics Corp.; Osborne, Drew A; Osborne, Genevia L; Osborne, Roy E; Oxsen Enterprises, LLC; P & V Wilkinson Family Trust; Page, Jeffrey A; Page, Marilee J; Palmer, Alfred W; Palmer, Joy L; Park, David Wallace; Park, Mary Kathleen; Park, W B & Sons, LLC; Parraguire, David Estate; Patterson, Jana L; Patterson, Robert M; Peavine Leasing, LLC; Peel, Michael W; Peeples, Deann; Peeples, Frank T; Penrose G.I.D.; Peri & Peri; Peri & Sons Farms, Inc.; Peri, David J & Pamel A Family Trust Agreement; Peri, David J; Peri, James J., Jr. [Butch]; Perrin, Clarence H Testamentary Trust; Perrin Dynasty Trust; Perrin Trust; Perry, Randolph E; Perry, Victor A; Perumean, Mary Ann; Perumean, Pete Jr.; Perumean, Phillip; Peters, Glen & Darlene Living Trust; Peterson, Jeffrey; Peterson, Marion W; Peterson, Sheri; Pinenut Ranch Corporation; Pitchfork Ranch, Inc.; Plattner, Nancy Jo; Plett, Pauline; Plett, Walter; Poli, Nancy; Polizzi, 10 Carmen Apodaca-; Polizzi, Robert J; Poulsen, Gayle S [Herman]; Prouty, Wayne M & Debra Lynn Revocable Living Trust; Pruett Ranches, Inc.; Pumpkin Hollow Farms, Inc.; Purrell, James E; Purrell, Karen M; Pursel, Delbert; Pursel Farms; Pursel, James; Pursel, Melvin E 1998 Trust; 12 Pursel Ranch, a Partnership; Pursel, Vicki; Quilici, Basil & Pursel, Norma; Pursel, Norman; Pauline Leveille Revocable Living Trust; Quilici, James D; Quilici, Kathrynn A; Quiroga, Carlos G & Ofelia R Revocable Trust; Quiroga, Hector; Rader, Krys; Rader, Scott D; Raisbeck, Nancy L; Raisbeck, Peter D; Rasmussen, Kathleen; Rasmussen, Steven; Reams, Christopher; Reams, Denise; Regan, Ruby C Trust; Reich, Diana; Reich, Martin; Renegade Corporation; Renner, Thomas R; Renner, Tosca M; Reviglio, Thomas; Rhea, Dale; Richardson, Elizabeth; Richardson, 16 James; Rife, Deborah K; Rife, Jeffrey J; Rinasz, Myron M; Ritter Family Trust; Gustave, III; Roach, Heidi D. and Roy B. 2002 Trust; Roach, Ruby; Roberts, Larry W; Roberts, 17 Mary A; Robertson, Elmer C; Robertson, Geneva K; Robinson, Helen; Roderick, Douglas Ray & S Joann Living Trust; Roderick, Douglas Ray; Roderick, S Joann; Rogers, Carole J; Rogers, Jeffrey A; Rogers, Ralph S; Rogers, Sharon M; Rolston, Kenneth J; Rolston, Linda; Romero 19 Family Trust; Roots, David H; Roots, Kathleen A; Rosaschi, Angelo J; Rosaschi, Lester & Connie 20 Family Trust Agreement; Rosaschi, Romeo Jr., Inc.; Rosse, Debra D; Rosse, Jerry R; Rowe, Lillian Baker-; Rowe, Thomas M; Rubert, Lotus R; Rubert, Peggy J; Rudd, Marie J; 21 Runnerstrom, Rheta M; Runnerstrom, Warren G; Rupe Family Trust Agreement; Rye, Cherie C; 22 Rye, Stephen B; Sandoval Albert R; Sandoval, Cecelia L; Sans, Paul P; Sans, Sandra Jo; Santos, Christena M; Santos, Paul J; Sario Livestock; Savage, Keith A; Savage, Virginia; Sayce, Michael 23 R & Shannon L; Scatena, Louis V; Sceirine, Beverley; Sceirine, David A; Sceirine Fredericks 24 Ranch; Sceirine, Herbert; Sceirine, Herbert L & Susan L Revocable Trust; Sceirine, Joseph E; Sceirine, Susan L; Schendel, Madge E; Schendel, Robert J; Schirmeister Lisa A; Schram, 25 Madeline; Schrock, H. Jean Survivors Trust; Schurz Elementary; Schuster, Donna R Family Trust; 26 Sciarani, Arnold Jr. & Pauline Trust Agreement; Sciarani, Donna; Sciarani, Eugo Trust Agreement; Sciarani Family Trust; Sciarani, James; Sciarani, John Trust Agreement; Sciarani, John; Sciarani, 27 Linda Ann; Sciarani, Paul; Sciotto, Arthur P; Sciotto, Cortland O; Sciotto, Frank T; Scribner,

## Case 3:7B-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 37 of 102

1

2

3

4

6

8

10

11

12

13

15

16

17

19

20

21

22

23

24

25

26

27

28

Cynthia; Scribner, Vance C; Seibold, Belinda A; Seifert, Judy A; Seifert, Stanley D; Settelmeyer Ranches, Inc.; Sharkey, Mike & Carol Family Trust; Sheerin, Christopher; Sheerin, Keri A; Shehady, Daniel P; Shehady, Donald & Teresa Trust; Sherlock, Michael C; Shively, E Duane & Russelle B 1991 Revocable Trust; Shoemaker, Janice: Shoemaker, Janice K. Trust Agreement; Sierra Pacific Power Company; Silva, Edward B; Silva, Gary Sr.; Silverado, Inc.; Simmons, Leia H; Simmons, Stanley C; Simpson, Allan R; Six N Ranch, Inc.; Sjolin, Eunice; Skinner, Albert Carlos LLC; Smith Ann M; Smith, Daniel G; Smith, Diana Lee; Smith, Ermon Wilson & Mary Lee Family Trust; Smith, Eva L; Smith, Gaila M; Smith, Grant B; Smith, Harry E; Smith, Indra; Smith Living Trust; Smith, Mark A & Irene B Family Trust; Smith, Michael A; Smith, Patricia Ann; Smith Ranch Partnership; Smith, Shawna S; Smith Valley Cattle Feeders; Smith Valley Baptist Church; Smith Valley Park & Recreation Board; Smith, Wesley & Beverly Trust; Smith, Angela M; Smith, Diane L; Smith, Scott M; Snook, Jean T; Snyder, Eddie R & Theresa Trust; Snyder, Frances; Snyder Livestock Co., Inc.; Snyder, Lucy A; Soderstrom, Dave Jr.; Soderstrom, Joan; Soilfume, Inc.; Sommer, Betty J; Sommer, Leo H; Souza, Julie M; Spence 1990 Family Trust: Spinuzzi, Peter J Jr., Spinuzzi, Theresa D; Spradlin, Everett J; Spradlin, N Jeannie; Sprague, Leland; Stacey, Kristine A; Stacey, Roc A; Stanley, John D; Stanley, Marlyse R; Stanton, Christy DeLong; Stanton, Kirk Andrew; Stark, Glenn M; Stauffer, Keith H; Stauffer, Patricia L; Steele, Charles R; Steele, Karen R; Steven & Susan Bohner Family Trust; Stevens, Judie A; Stevens, Michael D; Stevenson, Daniel R; Stevenson, Sharon; Stewart, Eileen F; Stewart, Kim & Kathleen Family Trust Agreement; Stillfield, Donna J; Stitt, John & Julia Living Trust; Stockton, Edward; Stockton, Linda A; Stout, Jack F; Stout, Nancy; Stovall, Judith Lee; Strong, Charles; Strosnider Family Trust; Strosnider, Inc.; Strudwick Living Trust; Sturge Family 2001 Trust; Sturtevant, Helen M; Sullivan, Kevin Patrick; Sundance Feedlot; Sunrise Ranch, LLC; Sutter Ranch Corporation; Swainston, George W; Swainston, Harry W; Swainston, John W; Swenson, Michelle T; Swenson, Timothy D' Taliaferro, Daniel R; Taliaferro, Jill K; Tamagni Janice E; Tamagni, Raymond E Family Trusts; Taylor, Dola F; Taylor, Lloyd T; Tazaki, Musaschi Taka; Terry, Denise L; Terry, Sean C; Terschluse Family Trust; Thacher, Caroline H: Thacher, John H; Tholke, Rachel Smith Trust; Thomas, Ami; Thomas, Katherine L; Thomas, Terry A; Thomas, Tracy Glaze; Thompson Family Trust; Tibbals, Carol Joyce; Tibbals, Don H; Tibbals Family Trust Agreement; Tibbals, Joseph William; Tijsseling, Dick G; Tijsseling, Judith A; Tilley, Jerry E Trust; Tiscareno, Anne M; Tiscareno, Carlos J; Titus, Robin L; Tomac, Laura; Tomac, Steven; Topaz Lake Water, Inc.; Topaz Lodge, Inc.; Treasure, Malcolm; Treasure, Michelle R; Turf Company, LLC; Turner, Dolores V; Turner, Howard D; Turner, Joan C; Turner, Ross D; Turria, Linda R Trust Agreement; Turria, Linda; Turria, Randy; Twelves Family Partnership, LLC; Twin Properties, LLC; Vandebrake, Debra A; Vandebrake, Jerry L; Vaughan, Julie M; Vaughan, Richard D; Vawter Tierney Living Trust; Veil, Kelly A; Veil, Timothy C; Verdugo, Juan; Verdugo, Maria; VGR Limited Partnership; Vick, David W; Vick, Shelly; Villa, Alan N; Villa, Shirley J; Virdin, Virginia Sue; Virdin, William Michael; Vogel, Bruce G; Vogel Family Trust; Vorhies, Victoria E; Vorhies, William L Jr.; W and L Trust; Walker Lake Water District; Walker Lake Working Group, Inc.; Walker Lake Apartments; Walker River Paiute Tribe; Walker River Land Corporation; Walker River Ranch Limited Partnership; Walker River Irrigation District; Walsh, Janine Y; Walsh, Stephen L; Warburton Family Trust; Ward, Lauren; Ward,

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 38 of 102

2

3

4

5

6

28

Mary Margaret; Warr, David T; Warr, John; Wass Investments, A Nevada Limited Partnership; Wasser, Debi I; Wasser, Robert E, Jr.; Weaver Properties, LLC; Weaver, John R & Lura K Family Trust; Weed Heights Development; Weiser Living Trust; Wells Fargo Home Mortgage, Inc.; West, Regina Rae; Wheat, Robin; Wheeler, Earnest C; White, Douglas M; White, Julie Ann; Whitney, John W; Whittier Trust Co., TTEE for George L'Abbe; Wiegand Resources, Inc.; Wiggins, Alice S; Wilder, Joan; Wilens Family Trust; Wilkinson, Philip; Wilkinson, Vivien; Williams, John Leonard; Williams, Joni Fay; Williams, Phillip A; Williford, Michael C; Williford, Virginia M; Willis, Marlene D; Willis, Randall D; Willowcreek G.I.D.; Wipfli, Candyce; Wipfli, Tom; Wright Living Trust; Wright, Mary M; Wright, Sandra L; Wright, Weston L; Yeager, Eloise; Yeager, F Kirk; Yerington Associates; Yerington Church of Christ; Yerington, City of; Yerington Public Utilities; Yerington Water Co.; Zieman, Gene G; Zlendick, Don R; Zlendick, Gayle K; Zwart, John J; Zwart, Veronica L; Abilla, Vicki Lynn; Acme Leasing, LLC; 8 Airoso, Joseph M, Sr.; Ammons, James T.; Anderson, Royce W. Family Trust; Artesani Family Trust; Ayres, Harriet E.; Bartels, Gladys; Bartels, William J., Sr.; Bawden, J. F.; Bemis, Jack L; Borealis Mining Company; Brandstetter Family Trust; Brueggemann, Bruce; Brueggemann, 10 Sherilyn E.; Bryan, Nikki A.; Bryan, Richard H.; Butler, Gary R.; Butler, Theresa A.; Chilton, 11 Michael J.; Clemens Family Trust; Cochran, Donald R.; Cochran, Susan J.; Cook, Gilbert E.; Cook, Linda L.; Copper Hills Bible Church, Inc.; Crist, Arlien R.; Crist, Charles J.; Day, Kelli 12 A; Day, Robert H., Jr.; Debrick, Verna N.; Draper, Steven M.; Dunham, Dane Eileen Family 13 Trust; Easterby, Carmaletta; Easterby, David D.; Eierman, Conrad R.; Faiferek, Lee Ann; Faiferek, Roland; Faretto, Michael 1996 Family Trust; Fielding, Shirley A.; Fietta, Patricia; Fulstone, Ed; Fulstone, Fred, Jr.; Gagne, John L.; Gagne, Monica V.; Garms, Gary; Garms, Toni; Garmsland Limited; Giacomini, Carole A.; Giacomini, Joseph T.; Giorgi, Ugo, Jr.; GR8DEAL, 15 LLC; Gregoris, Michel; Gregoris, Yvette P.; Guild, Clark J., III; Guild, Catherine L.; 16 Gussenhoven, Joyce L.; Hanson, Gary & Beverly Trust; Harris, Mark Alan; Harris, Valeria; Hartwick, Rex A.; Hartwick, Sandy J.; Haskins, Carrol Richard & Alice June Joint Living Trust; 17 Hawkins, Patricia L., MD; Hayden, Leland D.; Helm, Connie Parkinson-; Helm, Daniel B.; Hern, 18 Carla Sue; Hern, Michael J; Hunewill, Frank E.; Hunewill, Randi Jo; Huntsberger, Linda M.; Huntsberger, Richard C.; Jackson, Robert E.; Johns, Debra L.; Johns, Michael P.; Johnson, 19 Richard D.; Johnson, Sharlene M.; Johnston, Carol A.; Johnston, John; Jones, Arthur L., Jr.; 20 Jones, Debra L.; Keegan, James; Kelly, Quirt; Kirk, Donna B.; LaFleur, Debra C.; LaFleur, Gary P.; Lemaitre, George E.; Lemos, C. JoEllen; Lemos, Danny; Lemos, Milton J.; Lindberg, Donald 21 H., Sr.; Lindberg, Janice M.; Lockwood, Melvin L.; Lockwood, Sylvia M.; Lombard, Michael; 22 Lombard, Shelley; MacKenzie, Lee Ann; Maddock, Douglas W.; Maddock, Stacey L.; Martin, Cheryl Lynne Revocable Living Trust; Masini, Lawrence C. Ranch; Mathis, Joe Robinson and 23 Eleanor Margherite Trust; McCormick, Hilda T.; McCormick, Robert J.; McMinn Family Trust; 24 Megenity, Patricia Sue; Melton, Mattie J.; Miller, Mary Ann; Morehouse, Linda; Morehouse, Wayne; Muniain, Mary K.; Muniain, Raymond O.; Myers, Francine; Myers, Travis; Nevada 25 Onion, Inc.; Noles Trust dated 11/08/89; O'Banion, Todd J.; Oxsen, Nancy; Oxsen, Peter; 26 Pellegrini, Debra I.; Pellegrini, Steven W.; Perrin, Frances L.; Petersen, Martin W.; Petersen, Norma D.; Price, Charles R.; Proud, Andrew S.; Proud, Wendy E.; RGGS Land & Minerals, Ltd., LP; Rauber, William S. & Inlow, Patricia A. Trust; Renner, Donald W.; Renner, LaShele M.;

## Case 3 73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 39 of 102

2

3

8

10

11

12

13

14

15

16

17

19

20

22

23

24

25

26

27

28

Rightway Investments Smith Valley, LLC; Rink, Ruth E. 2002 Trust; Ritter, John G., Jr.; Ritter, Lucille C.; Roark, Gladys R.; Michael G. & Paula L. Rosaschi Trust; Ruf, Kyle A.; Ruf, Ross C.; Allen, Judy B; Allen, Roger; Ambrosia, Elaine L; Antonelli, Adriane J; Antonelli, Robert E; Aquila, Anthony; Aquila, Shelly; Aquila, Teresa; Ashdown, Darlene M; Awbrey, Connie M; Awbrey, James M; Babcock, Geraldine; Babcock, Richard E; Bales, Nona K; Bales, Richard B; Baptist, Joseph M; Baptist, Wendy R; Bartels, Kimberly A; Bartels, Rick S; Batting, Jennifer Lee; Berryhill, Nita M; Bertolin, Bruce H; Bertolin, Judith N; Bloise, George Nickolas; Boyd, Betsy J; Boyd, John L; Boydston, Kimberlee L; Boydston, Monte F; Bradley, Kay M; Brewer, Robert & Doris Trust; Brewer, Robert C; Brewer, Sandra L; Brondel, Karen D; Brondel, Kathy L; Brown, Haskell & Cheri L Trust; Brown, Kristine L; Brown, Oswald A; Brown, Sandra; Buchanan, Betty; Buell, Betty Sue Trust Agreement; Buell, Frank M Trust Agreement; Buettner, Madeline K; Buettner, Wilhelm F; Buford, Rick A; Buford, Vel; Bukoskey, John J; Bukoskey, Linda S; Bull Family Trust; Burr, Dianne Borsini Trust; Capurro, Cindy; Capurro, Michael L; Cartwright, Joan E; Cartwright, Roxanne Jones-; Cartwright, Tommy W; Chambers, Robert M; Cirone, Allen W; Cirone, Amanda J; Clay, Susan A; Converse, Cris; Cook, Gilbert E & Linda L Trust; Cooper, Kevin D; Cornish, Diane L; Crabtree, Antoinette Damon; Crabtree, Philip W; Criqui, Peter C; Daugherty, Michael; Daugherty, Susan C; Davis, Carol A; DeVolld, Zoe A; Dobosh, Betty M; Dobosh, Michael D, Sr.; Ellington-Peyerl, Andrea; Elliott, Patricia A; Elliott, Robert L; Elmer, Margaret D; Elmer, Richard G; Emery, Steven M; Emery, Terri L; Fabian, Norman R; Fell, Bud S; Flood, Michael P; Foley, Peggy; Foley, Richard; Foley Trust dated 04/05/04; Garcia, Carmen; Garcia, Rogelio M; George, Betti June; George, Carl S, Sr.; Giannotta, Lori Linn; Giannotta, Robert Paul; Gideon, Jerry; Gideon, Laverne; Gilmore, Debra A; Gilmore, Patrick A; Giomi, Joseph E Family Trust; Goodwill, Becky; Goodwill, Richard K; Gordon, Kathleen J; Gordon, Robert B; Greene, Vincent N; Gregoris, Gerard; Gregoris, Loranne; Gregory, Eric C; Griffin, Floyd W; Griffin, Heidi A Hess-; Griffin, Martha Ann; Grosvenor, Elaine L; Gullett, Eva C; Gutierrez, Maria J; Gutierrez, Patrick; Haeckel, Carolyn A; Haeckel, Michael B; Hart, Dublin J; Hartley, Shirley A; Hatala, Albert F; Hatala, Mary Sue; Herman, Fair M; Herrand, David; Herrand, Diane M; Hill, Carl E; Holloway, Ted J; Homan, Kristina Fay; Hoover, David R; Hoover, Tammy L; Horner Personal Residence Irrevocable Trust Agreement; Horstmanshoff, Bruce; Howry, Michael; Hronesh, Mark E; Hughes Family Trust UDT 9-7-95; Ichord, Richard A; Ichord, Shirley M; Jaquay, Michelle K; Johnson, Edward D; Johnson, LaCinda E; Johnson, Michael L; Johnson, William Lay-Faytte and Joan T Johnson Family Trust; Johnston, Hal B; Johnston, Michael W; Johnston, Rosann M; Jones Family Trust; Jones, Charles Russell & Linda C Trust; Jones, Colleen M; Jones, Martha J; Jones, Michael L; Jones, Paul F; Jones, Willie A Trust; Joplin, Betty; Joy, Donald; Joy, Lori; Jurey, Clyde W and Sandra D Trust; Kalata, Loretta J; Kalata, Theodore E; Kaltenbach, Lawrence J; Kaltenbach, Viola; Kay, Carlene D; Kay, Frank E; Kay, Leroy C; Kay, Paul G; Kelley, Francis A; Kelley, Geraldine S Trust; Kelley, Rita J; Kienbaum, Martha C; Kilgore, James B; Kilgore, Violet D; King, Robert F, Jr.; Kinsey, Peggy Leigh; Kirk, Jerri Mae; Kleve, Jerome H; Kleve, Verna Lee; Klose, Lyle E; Knight, Madeliene M; Knisley, Richard D; Knisley, Rosanna M; Knox, Logan & Madge Trust; Knudson, James A; Kostenbader, Steven G; Kotler, Gary I & Cathryn A Trust; Kraft, Ricardo M Trust; Kraus, Arthur; Kraus, June; Krejci, Bill F; Kretschmer, Constance M; Kretschmer, Edward

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 40 of 102

3

5

6

28

L; Kropelnicki, Alexander; Kropelnicki, Marlene R; Kuzia, Joanna; Kuzia, Leslaw; Kuzmicki, Constantine T; Kuzmicki, Nicolee; Kuzmicki, Russell; Labelle, Edith M; Labelle, Gary L; Lacey, Jonathan A; Lamb, Grace R; Lamb, Robert W; Lamkin, Helen; Lance, Lita Jean; Lance, Mattie; Lance, Richard Dean; Landers, Jim G; Lang, Charles M; Lang, Debra S; Langford, John R; Lantto, Ernest R; Lanzino, Andrew E; Lanzino, Lisa A; Lasater, James M & Betty L Trust; Lawrence, Danny L; Lawrence, Diane L; Ledsinger, Michael D; Lee, Jerry W; Lee, Robert E; Leffler, Glen A; Leffler, Nadine V; Lemos, Frankie L; Lemos, Guy F; Lemos, Jodi L; Lemos, Rodney J; Lerg, Deborah Mae; Lerg, Roy D; Lerg, Roy D & Deborah Mae Trust; Levay, James; Leveille, Helen; Leveille, William E; Lewis, Arena F; Lewis, Cameron J; Lewis-Ellis, Katherine L; Locklear, Arnold J & Lysi V Family Trust; Loori, Catherine; Lopez, Baudelio; Lopez, Fredrick; Lopez, Maria S; Loveberg, Robert G; Luers, Dale E; Luers, Devon S; Lumbard, Robert A; Luning, Eugene T; Luning, Michelle S; Lunsford Family Trust; Lyman, Stanley and Bonnie 8 Revocable Trust; Lynch, Charlene F; Lynch, Daniel B; Lyons, Della M; Lyons, Rolland R; Madera-Ramirez, Otoniel; Madrid, Joseph I; Madrid, Maria E; Madsen, Russell G Trust; Mainarick, Richard M; Mainarick, Susan L; Maldonado, Efren E; Maldonado, Sylvia; Mamolen, 10 Ellen M; Mamolen, Samuel F; Mandeville, Margaret; Mandeville, Walter F; Manus, Dwayne T; Marshall, Carrie A; Marshall, Theran L; Mason, Jon E; Mason, Norene E; Massin, Michael R; 11 Massin, Nancy L; Mata, Nereo C; Mata, Onecimo; Matlean, Barbara C; Matlean, Milton; 12 Mattice, Gayle; Mattice, Lewis W; May, Georgia A; Mayne, Gary F; Mayne, Kathy L; McAviney, Christopher A; McAviney, John N, Jr.; McCandless, Robert R and Frances L Family Trust; 13 McDermott, Shirley J 2000 Trust; McGuire, Bettie M; McGuire, Melanie; McGuire, Michael S; McKay, Gary G; McKay, Lewis & Judith Family Trust; McLaughlin, Doris; McMinn, Barbara Ruth; McMurray, Barbara A; McMurray, Norman H; Medaris, Joan M; Medaris, Leland H; 15 Meerly, Richard O; Mendoza, Jorge Negrete; Menesini, Joseph, Jr.; Menesini, Wanda M; 16 Mestressat, Cynthia; Mestressat, George J; Meyer, Lucinda A; Michelsen, Carole A; Michelsen, Ronald J; Micheo, Louis R; Midyett, Patti A; Mikonis Family Trust; Milam, Bruce; Milam, 17 Sylvia; Miller, Kris C; Miller, Owen; Miser Family Trust; Moffitt, Lance; Moffitt, Marcia; 18 Mollart, Cathy S; Mollart, George W, III; Mominee, Bernard; Mominee, Diana; Monahan, Daniel J; Monahan, Eleanor L; Monahan, Wayne R; Montanaro, Edward C; Montanaro, Mary M; 19 Montero, John R; Montero, Sharon A; Montes, Benito; Montes, Felicittas; Montes, Maria B; 20 Montes, Oscar Ramos; Montes, Senorino; Montes, Taurino R; Moody, John W; Moody, Kristine R; Moore, Diana B; Moore, Jeffrey H; Moore, Mark A; Moore, Robbin Rose; Moore, Ronald W; Moore, Sandra H; Moore, Vickie L; Moreda, Edward J; Moreda, Gretta E; Moreda, Janet M; Mottin, Jimmy R; Mottin, Nelda R; Mouchou, Barbara A Trust; Mouchou, John D; Mousseau, 22 Janet; Muniain Family Trust; Murphy, Donna P; Nagy, Linda L; Nagy, Michael E; Nakamua, Janet E. Thompson; Newman, Jon M; Nigos, Cynthia; Nish, Jesse; O'Connor, John E 1996 Separate Property Trust; O'Connor, Marlene A 1996 Separate Property Trust; Olson, Gerald F; 24 Olson, Rochelle; Pedersen, Dan H; Pedersen, Karen P; Penaloza, Oralia; Perry, Darla Clarke; Perry, Gayle A; Perry, Janet C; Perry, L James; Petersen, Rosemary E; Pierman, Lenda Lou; Pinion Mountain Trust; Pipkin, Jimmy D; Pipkin, Rose M; Poseley, John Trust; Postal, Clark N; 26 Prouty, Wayne M, Jr.; Pugh, Gordon; Rauber, Julie M; Rauber, Spencer N, Jr.; Raymond, Alice 27 A; Raymond, Gary K; Reed, Barbara J; Reed, Sandra M; Reese, Lynda C; Rienstra, Ardenna K;

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 41 of 102

Rienstra, Paul E: Roberts, Christina A; Roberts, William P; Robinson, George F; Robinson, Kimberly J; Robison, Howard R; Rodriguez-Madera, Maria Raquel; Rogers, 2 Sherrie D: Roseberry, Connie Jo: Roseberry, Kevin D; Ruble, James H; Ruble, Pauline H; Sallaberry, JoAnn; Schendel Family Living Trust; Schmidt, Eddie Mae; Schultz, Steven D; 3 Schultz, Theresa C; Seal, Lois A; Sebald, Frederick C; Sebald, Leona L; Seitz, Pamela G Sterling-4 Seitz, Paul R; Seldomridge, Jeffry S; Silva, Jeanne E; Silva, William J; Simmons, Larry A; Simmons, Richelene; Singleton, Michael R; Sipes, Alden Henry; Sipes, Nancy Jean; Slater, 5 Dennis R; Slater, Kimberly Ann; Lindsey, Twyla M.; Smith, Barbara L; Smith, Thomas H; 6 Spencer, Michele; Stanton, Thomas J; Stevens, Bryan T; Stevens, Pamela M; Stewart, Robert L; Stewart, Terrie L; Stoddard, Cheryl A; Sullivan, Alice J; Survera, Bertrand J; Survera, Lois C; Taylor, Adrian G: Taylor, Maria D; Theiss, Dale A; Theiss, Sharon F; Thomas, Fannie M; 8 Thomasson, Phillip W; Tornesello, Michael J; Towery, Cary E; Towery, Cheryl A; Tucker, Dona C: Tucker, Phillip E: Valladao Trust; Van Winkle, Raymond, Sr.; Verdugo, Eva; Verdugo, Jose; Walker, Summer N; Walker, Travis L; Wallin, Diana R; Warren, Robert James; Weaver, Yvette; Weeks, Mike L; Westerman, Paula S; Westerman, Theodore N, Jr.; Whitesides, Joella J; 10 Whitesides, Todd K; Wilder, John J; Wilder, Lin C; Wilders, Maudy E; Wilders, Robert; 11 Willingham, Ada L; Willingham, Lawrence O; Wirthwein Family Trust; Zahradnik, Catherine M; Zahradnik, David V; Zarazua-Mata, Abel; Zarazua-Mata, Rafaela; Zarazua-Montes, Liboria; Zippwald, Darlene S; Zippwald, Jack C.; "A" Enterprise; Baltrusch, Sabrina; Bell, Carl D.; Beronio Family 1995 Trust; Brown Joint Living Trust; Cook 1994 Revocable Living Trust; Farrar Family Trust; Giraud, Louis J; Giraud, Marie; Rex A. & Sandra J. Hartwick Family Trust; Hayes, Edward P.; Klose, Carrie; Kreamer, Cherryl L.; Kreamer, James P.; Lackore Revocable Family 15 Trust: Leiter, Linda Kathleen; Lommori Family Trust; Mathews, Myrtle Alberta Family Trust; Miller, Vernon L. and Caroline S. Family Trust; Nakamura, Janet E. Thompson; Sanchez, Doris 16 S.: Sanchez, Samuel Julian: Valladao Trust; Verna, Nancy A; Verna, Steven E.; Williams, Murl 17 E., Jr.: Abrott, John E: Abrott, Maralyn; Acciari, Catherine M; Acciari, Joseph R; Acosta, Carole F; Acosta, Rudolph E; Adams, Hazen R; Adams, Mary A; Adams, Melody A; Adrian Family 18 Trust; Aiazzi, Denise N; Aiazzi, Pete A. and Estelle M. Trust; Aiazzi, Stephen E; Aiken, Susan 19 Sedgwick; Algeo Family Revocable Trust; Altman, Carol E; Altman, Mary I; Alvarez Family Andersen, F Elaine; Andersen, Morries Jr.; Anderson, Darrell E; Revocable Living Trust; 20 Andrews, Horton R Trust; Angeles, Ernie A; Arentz, Sam S, III; Arentz, Trudie C; Armstrong, David E; Armstrong, Marge A; Atchison, Dennis W; Atwood, John G, Jr.; Ausmus, John A; 21 Balbini, Arthur Ronald Trust; Baran, James J; Barcellos, Vicki L; Barr, Sharron; Bartels, Marvin 22 Bartlett, Darlene; Bartlett, Donald L; Bauhofer, William L; Baumgartner, Beverly; Baumgartner, John G; Beal, Donna J; Beal, Linda; Beal, Steven; Bean, Kenneth R. and Ethel R. 23 Bean Family Trust; Beaton, Christopher S; Beaton, Darci L. Mundello-; Bell, Brian William; 24 Bentley, Don and Patty S. Bentley Family Trust; Bergin, Leo P, III; Bernard, Adrian L; Bernard, Donald J; Berrington Custom Hay Hauling, Stacking and Transportation, Inc; Berrington, Jean M; 25 Berry, Alta E; Berry, Barbara L; Berry, Robert J; Berry, Stephen F; Bertrand, Linville F; 26 Berumen, Juan Luis Reyes; Bettencourt, Lawrence; Bettencourt, Mary J; Bezayiff, Julia; Bezayiff, Roger; Biggs, Edward W; Biggs, Robin A; Bilbao, David A; Bilbao, Patricia E; Bingeman, Gene 27 Family Trust; Birk, Ronald G; Blackburn, Dale G; Blackburn, Eve L; Blanks, Gerald D; Blanks, 28

## Case 3 73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 42 of 102

2

3

10

11

12

13

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Sharon E; Bohler, Steven A; Boileau, Gerial; Bonnet, Laurie A; Bonnet, Mason L; Boucher. Christine; Boucher, Michael D; Bradley, Darrell D; Bray, William J, Sr.; Brownell, Camella M; Brownell, Dean G; Bruhn, Eugene L; Bruhn, Nickels Lewis; Bryan, Gordon D; Bryan, Helen M; Chappell, Dana; Cline, Carolyn K. Zieszler-; Cline, Jack R; Crawford, Larry D; Crowley, Jon D; Crowley, Teresa G; Crumé, Gail Herrera; Crumé, Henry Haskell; Davis, Gregory A; Davis, Terri L; DeChambeau, Jack; DeChambeau, Susan J; Delucca 2004 Rev. Trust; Diaz, Jessica Bettencourt; Dickey, Cinda; Diekmann, David C; Diekmann, Greg E; Diekmann, Richard J; Dockum, Cheryl F; Dockum, Don M; Dressler, Estate of Milton N, Sr.; Dunn, Leo Patrick 2004 Trust; Echard, Deborah Lynn; Echard, James Edward; Eller, Colby D; Eller, Julia C; Espitia, Angel; Espitia, Margarita; Eversult, Robert A; Eversult, Shirley A; Far West Construction; Fowler, Penelope; Fowler, Terry G; Fuller, Robert B; Fuller, Vera N; Fullerton, Carolyn J; Fulstone, RN Inc. Ranches; Gardner, Ken & Dorothy Trust; Garman, William W; Golden Honey Bear Trust: Gourley, Patricia Lynn; Greenberg, Barbara Carol; Greenberg, Raymond John; Grooms Family Trust; Hagen, Cheryl S; Hagen, Mike; Haight, Sonnie L; Haight, Theodore David; Hakin, Carl E; Hakin, Joyce Lynn; Hall, James B; Halstead, Judy; Ham, Dana C; Ham, Franklin C; Hamlett, Robert A, II; Hana, Bob E; Hana, Carmela R; Hansston, Anna J. Family Trust; Hardesty, Gary W; Hardesty, Karen K; Hardison, James L; Hardison, Marlene; Harker Family Trust; Harper, George R; Harper, Patricia C; Harrell, Dennis E; Harrell, Linda J; Harrington, Jean M; Harrington, Roger A; Hawkins, Michael James; Hefner, Marcia E; Hefner, Tommy M; Hicks Family Trust; Hodges, Carol Lee; Hodges, Donald Lee; Hughes, Kathleen; Hughes, Richard W; Hughes, Ted O and Marian Trust; Hughes, Tony and Sharon Family Trust; Incopero, Frank Vincent; Jones, Arthur L., Sr.; Jones, Barbara A; Jones, Debra L; Kates, Carolyn M; Kirchner, Michael & Karen Family Trust; Knapp, Dennis R; Kutschenreuter, Herman J; Kutschenreuter, Sue; Laumer Living Trust; Leavitt, Brian B; Leavitt, Kim S; Lee, Blair H; Lenning, Grace A; Lenning, James L; Litterer, Jeffrey S; Litterer, Therese A; Lynch, Betty L; Lynch, Donald B; MacBlane, Gary R; Mack, Eugenie H; Mack, Luther; MacMannus, Leslie J; Mason, Bernadine K; Mason, Evered J; Mathias, John A; Mathias, Nancy J; McCarthy, Michael R; McCarthy, Michaele Ann Campoy; McGarity, David Hoyt; McGarity, Mary Colleen; Me-Too, Inc.; Mosby, Jack L; Mosby, Rena A; Murphy Revocable Trust u/d/t 7-22-98; Nall, Lucille G; Nesbit, Edwin E; Nesbit, Pamella H; Neubauer, Nancy M; Nickum, Kelly L; Norman, Ruth A 1991 Trust; Oliver, Jo M; Oreb Trust; Parker, Emily Grace; Parker, Susan Emily; Parrott, Cherylin K; Parrott, Harold T; Peck, Michael; Pepple, Grace; Pepple, James L; Perkins, Carol Louise Family Trust; Petersen, Martin W; Petersen, Natalie; Petersen, Norma D; Petrak, Jack R; Pinion Ranch Estates, LLC; Pitt, Sharlet L. 1993 Trust; Pulido, Jesse H; Pulido, Margaret G; Riley, Patricia; Roseberry, Jacob E; Roseberry, Kimberly R; SV Development; Savage, John A; Savidge, Dale A; Savidge, Maureen P; Schmidt, Leonard L; Schwake, Frederick W; Schwake, Schwandt, Rudolph A; Scodak, Judy; Scodak, Stephen; Scott, Dorothy L; Patricia R; Seldomridge, Patricia D; Sellers, Brenda; Sellers, Carol Jean; Sellers, Frederick E; Sellers, Larry W; Seubert, Donald R and Sophia Trust; Severinsen, Darrell R; Severinsen, Sheryl A; Seward, John F, Sr.; Seward, Joyce A; Shaffer, Timothy M; Shaw, Lee; Singleton, Charles M; Singleton, Rose M; Sipple, Anthony Joseph; Sipple, Cathryn A; Skaggs Family Trust; Smith, Anthony K; Smith, Christine R; Smith, Kenneth M; Smith, Richard R, Sr.; Smith, Shirley K; Smith, William

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 43 of 10/2

2

3

8

11

13

S; Solway, Nancy L; Solway, Walter T, Jr.; Soukup, Andrew J; Soukup, Lee; Soukup, Lisa; South Lyon County Hospital District; Sovereign Enterprises, LLC; Spahn, Donna J; Spezzi, Donna M; Spezzi, Stanley R; Spooner, Kenneth C; Spooner, Margaret M; Springs, Carol L; Springs, Louis D; Spurgeon, Elbert C 2004 Family Trust; Spurlock, Melvin R; St. Jean, Wilfred and Roma Trust; Stanley Family Trust dtd 12/11/97; Stanton, Michael J; Steele, Gary P; Steele, Helen L; Stephens, Kathleen E; Stephens, Ronald L; Stewart, Kathleen L; Stewart, Kim K; Stiles, Nancy A; Stokes, Albert E; Stokes, Susan M; Storey, Arthur L; Stutts, Cheryl; Stutts, Larry; TPKW Family, LP; Tanaka, Cindy; Teodorski, Tanya M; Testa, Anthony J; Testa, Judith K; Tibbals, Joseph W; Tibbals, Margaret F; Tiscareno, Hope E; Tiscareno, Juan P; Towne, Catherine L; Tucker, Richard Allan; Tucker, Sandra Kaye; Turner, Jo Anne; Uhland Family Trust; Urrea, Mariorie L; Valentino Family Trust; Van Norman, Charles V; Van Norman, Linda Dianne; Van Winkle, Raymond W; Vial, Sandy Marie; VonSeeburg, John A and Lorraine E Revocable Trust; Wade/Fernley, LP; Washington, Bonnie; Wawers, Sylvia C; Welle, Patricia C; Weller, Bessie A; Weller, William H; Whitaker, Richard S; White, Kirk Family Trust; Wiant Living Trust; Wilcox, Eric Kenneth Trust; Wilkerson, Dennis L; Wilkerson, Elouise M; Williams, Gypsy; Williams, 10 Phyllis; Willis, Marlene D; Willis, Randall D; Wilson, Martha; Wilson, Wylie; Wirthwein Survivor's Trust; Yerington Ventures, LLC; Young, Daniel & Shelby Revocable Living Trust; Zumpft, Charles W and Karen M Family Trust; Arellano, Noel; Arellano, Rosalba; Baker, 12 Kenneth E; Baker, Linda M; Berrington, Phyllis; Blandin, Nancy L; Bobula Living Trust dtd 12/03/97; Borden, Donn T; Boudreau, Hilary H; Boudreau, Michael P; Bowden Family Trust dtd 3/23/00; Bowen, Mary Lisa; Bowen, Wallice; Bowman, Ann M; Bowman, Wayne D; Bowman, 14 William R; Brigham, Jeanne Diane; Brown, David A; Brown, Rose L; Brown, Wesley W and 15 Clara A Living Trust; Brusse, Janet Q; Brusse, Larry A; Bump, Delbert W; Bunch, Suzanne E; Burchell, Clyde E; Burchell, Teresa J; Burton, Robert A; Bush, Lota Trust; Buskirk, Diane; 16 Butler, Arlene J; Butler, Donald L; Butler, Lee G; Butler, Shannel C; Butcher, Terry E; Clyde, 17 Shawn M; Clyde, Vicki A; Cooper, Leon L; Cooper, Mary Ann; Cummings, Dianna L; Cummings, Edward M; Curtis, Launa; Curtis, Steve; Cutright, Ginger L; Cutright, Maxwell K; 18 Dalrymple, Donald D; Damron, Eunice M. Trust; Dane, Albert J; Dane, Judy H; Daniels, Jessica Barlow; Daniels, John E; Darling, Jim S; Darling, Sheena G; Davidson, Dennis; Davidson, Joni 19 S; Davidson, Nathan S; Davis Family Trust dtd 2/11/93; Survivor's Trust of the Day Family Trust; 20 Day, Bobby R; Debusk, Annette G; Debusk, W Michael; Decorte, Samuel; Decorte, Tony; DeForest, Kent; DeForest, Lisa A; DeGeorgis, Diane; Deines, Jerry V; Deines, Virginia M; Deitrick, April Christine; Deitrick, Kirt Allen; Del Porto, Christi Linn; Del Porto, Frank M; 22 Demello, Jody; Denny, Douglas M; Denny, Martha D; DeWitt, Herman Sr.; DeWitt, Susan M; DeWitt, Wanda J; Dibble, Deborah L; Dibble, John K; Diehl, Anna; Diehl, Francis K; Dieneman, 23 David P; Dieneman, Sandi P; Disbrow, Carolyn L; Disbrow, Peter H; Doering, Jeanette; Doering, 24 Robert E; Douglas, Barbara A; Douglas, Michael A; Doyle Family Trust dtd 12/30/04; Dunlap, James T; Dunlap, Vicki L; Easton, Katheryn B; Easton, Robert L; Eberhart, Elmer L; Eckstein, 25 Clemencia C; ECT Family Trust; Edney, Lorrie; Edney, Rick W; Edwards, Scott Lee; Eernisse, 26 Janet B; Eernisse, Richard F; Erbin, Don; Espinoza, Jerry M; Espinoza, Wanda L; Euler, James Crookham; Evasovic, Les T; Evasovic, Michelle; Faacks, Billie Jean; Faacks, Kenneth D; Falkenstein, A Jerry; Faulkner, Angel Renae; Faulkner, Mark R; Favor, Ida Lee; Fawcett, Herbert 28

## Case 3:7\(\beta\)-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 44 of 102

J; Fawcett, Kathy M; Fawcett, Roger L; Fentiman, Brenda G; Fentiman, Donald H; Fesenmaier, 1 Mary: Fesenmaier, Michael: Fields, Roy O: Florio, Michael P: Focha, Judith C: Focha, Peter A: 2 Foss, James Edward; Fowler, Marlene A; Fowler, Walter C; Frame, Charles R; Frechette, Bruce; Freeland, Matthew J; Freeland, Rebecca S; Frishman, Steve; Frishman, Sue; Frugoli, Walter L; 3 Fuller, Jack R; Fuller, Reba J; Fulton, Danny L; Gable Living Trust; Galantuomini, Steven J; 4 Galvin, Kaylyn; Galvin, Matthew J; Gaminiam, Jeanne Trust; Gansberg, Ellen C; Gansberg, Leroy D: Gant, Desiree D: Gant, Kent E: Garafano, George; Garcia, Stephen C and Cheryl A Family Trust; Garmong, Gregoroy; Gates, Edward A, Sr.; Gates, Susanne; Gauldin, R Jackson and 6 Kathryn B Trust dtd 3/14/97; Geissinger, Mitchell J; Geissinger, Terri; Gutierrez, Alvara; Gutierrez, Guadalupe: Guy, Hazel L; Guy, Lillie S; Hakansson, Margaret; Hakansson, Michael; Hernandez, Juan P: Hernandez, Obdulia A; Holcomb, Ronald J; Holcomb, Shauna L; Jaquay, 8 Michael Vincent: Johns, Daniel C; Johnson, Christine; Johnson, Eric M; Johnson, John R; Johnson, Suzanne F; Jordon, Jeannette; Jordon, John E; Kimball, Johnnie F; LaFleur, Lawrence V: LaFleur, Nicole: Mason, Margaret; McDonald, Bill A; McDonald, Donna G; Merrill, Robert H; Moore, Harold Trust; Morgan, Dawn S; Morgan, Jacquelyn; Morgan, Kenneth L, Sr.; 10 Morgan, Mark L; Neville Sandra F; Parmar, Inder J; Parmar, Kathy L; Petcar Family 1997 Trust; 11 Pierson, Norman E; Pierson, Roxana J; Pike, Sharon L; Pinkstaff, David M; Ramirez, Antonio; Ramirez, Maria A; Riley, Tom; Rose, George W; Rose, Winnie O; Sanderson, Janet A; 12 Scandrett, Janice Ann; Scandrett, Rondal R; Schroeder, Fritz H; Schroeder, Janna A; Shafer 13 Family Trust u/d/t/ 4-20-95; Shirk, Neil; Shultz, Frank D; Shultz, Kirk D; Sidener Cora M; Simkins, Edward A, Jr.; Simkins, Kristina L; Sinclair, Dawn M; Sinclair, Robert K; Singley, Erin M; Smith, Clint D; Smith, Loretta B; Soderquist, Dan; Soderquist, Kitti; Stockwell, Robert T; 15 Stout, Amelia M; Stout, Earl D; Street, Dan S; Street, Diane J; Sturgeon, Cheryl L; Sturgeon, Ronald L; Sturtevant, Floyd M; Sturtevant, Georgia C; Swain, David F; Swain, Mary Alice; 16 Swirsky, Charley A; Swirsky, Paula; Taylor, Brian L; Taylor, Jenifer A; Taylor, Randall L; 17 Tenbrook, Thomas; Thieme, Marsha A; Thieme, Michael D; Thomas, Charles S; Thomas, Janet A; Thompson, Jeanne M; Thompson, Lawrence D; Thran, Linda D; Thran, Richard W; Tola, 18 Jean E; Tola, Paul S; Townsend, Leigh M; Tran, Laurill; Tran, Thomas M; Triplett, Edna J; 19 Triplett, Everett M; Urrea, Robert J; Urrea, Susan T; Urschel, Ninetta M; Urschel, Victor P; Valentine, Keith; Vaught, John L; Vaught, Veronica T; Vawter, Deborah K; Vawter, Eric James; 20 Walter, Beverly J; Walter, John L; Warr, Dawna L; Watters, Glenn; Watters, Helen P; Weller, Harold E; Weller, Patricia; Williams, Mary L; Williams, Stanley E; Wolf, Mark A; Wolf, 21 Paulette: Woodward, Arthur R; Woodward, Bonnie L; Wright, George L; Wright, Gerald J; 22 Wright, Laura P; Wright, Mary Lee; Adams, Lisa Ann; Adams, Steven William; Allerman, LaDell; Andersen, Peter C Trust; Arellano, Cruz Maria; Arellano, Miguel; Arlit, Michael; Arlit, 23 Sherri; Beckham, Carolee B; Bell, Mark R; Benigno, Dhana; Benigno, Joe; Benton, J.R. Co., 24 LLC; Calka, William G; Capra, Ginger; Capra, Lloyd; Carter, Charles H; Carter, Mary K; Chavez, Jamie D; Chavez, Robert W; Christine, Lauri; Clark, Bruce A Estate; Clark, Freddie G; 25 Clark, Gloria M; Clarke, Kimlana E; Claverie, John M; Cleary, John J Trust; Corbit, June K; D 26 & G Investments; Davis, Catherine Louise; Davis, John Nicholas; Del Porto, Donna; Del Porto, Robert; Demeza, Rosa Sanchez; Diekmann, Richard J; Elder, Delvin L; Elder, Donna Carol; Enders, Nancy Lee; Epstein, Kim B; Epstein, Nancy L; Fenton, Jessey C; Fernandez, Janet; 28

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 45 of 102

Foster, Stephanie S; Gangwish, Phillip W and Karen L Trust; Ganimian, Jeanne; Garretson, Christopher P; Grimes, Helen M; Grimes, James G; Hammond 1995 Family Trust; Hana Family 2 Trust; Harris, Jerry F; Harris, Royal J; Hernandez, Elsie Douglas; Hernandez, Feliciano; Hines, Laura LaPierre-; Hines, Timothy C; Hiskett, Darlene M; Horton, Alice G; Horton, Joseph S; Hustace, Donna K; Hustace, Thomas E; Inderbieten, Linda J; Inderbieten, Robert M; Ingersoll, 4 Allene: Ingersoll, Kim; Ingle, Janet L; Ingersoll, Robert; Johnson, Charles Richard; Johnson, Larry P; Johnson, Lois Florence; Johnson, Stephonie J; Kahn, Richard and Joan Trust; Kern, 5 Carol M; Kirby, Jeff Homes, Inc.; Kirkpatrick, Melvin Trust; Klock, Karen; Knight, Cynthia; 6 Knight, Martin; Lerg, Roy F Family Trust; Lewis, Kenneth; Linebarger, Neal S; Linebarger, Patricia A; Long, James M; Long, Rhonda L; Mason, Edward L; Mason, Jo-An P; McCammond, Wade Brian; McCammond, Crystal R; McClure, Daniel M; McClure, Rachel M Holbrook-: McGaughey, Kenneth L; McGaughey, Lois Y; McNeil, Alvin H; Meza, Bernardino; Ignacio; Miller, Suzanne; Mills, Robert Clifford; Mizer, Matthew C; Moon, Victoria; Oelschlager, Dorothy Trust; Ogden, Larry Jr.; Olson, Alan R; Olson, Diane G; Pangburn, Linda J; Pannozzo, Joy M; Pannozzo, Stephen C; Pederson, Wayne A; Perez, Daniel E; Perez, Melinda; 10 Post, Delores; Rees Trust dtd 4-14-03; Reese, Oscar N Family Trust; Reiland, Rex W Trust; 11 Reneau, Jack; Roberts, J & S Trust dtd 2-26-96; Roeder Family Trust dtd March 5, 2004; Rogers. Douglas H; Rogers, Julie A; Rycroft, George E; Rycroft, Patricia A; Sanford, Bruce K; Sanford, 12 Lynda L; Savage, Henry L, Jr.; Savage, Laura; Shorter Jerry W; Shorter, Judith L; Singleton, 13 James M; Singleton, Leah; Smith, 2003 DN Family Trust; Smith Valley Enterprises, Ltd.; Smith Valley Methodist Church; Stearns, Martin D; Stearns, Monique; Sterling Trust Company; Talbott, Larry F; Talbott, Sherry L; TAM Properties, Inc.; Taplin, James E; Taplin, Michele; Thomas, 15 Robert C and Janice 2004 Trust Agreement; Thompson, Andrew E; Thompson, Dale W; Thompson, Edith O; Thompson, Priscilla J; Tibbals, Brock; Tibbals, Lisa; Tippets, Ruth A; 16 Tippets, Thomas D; Tran, James R; Trute, M Kathy; Turnage, Robert; Tyson, Kim E; Upton, 17 Russell Wayne, Sr.; Upton, Sherry Manring; Valim, Catherine M; Van Dusen, Denise C; Veil, Bryan R; Veil, Leila C; Venables, Charles N; Veterans, Tammy Jean; Vidal, Frances R; Vidal, 18 T Michael; Voss, Audrey J; Wachtel, Emil Joseph; Walsh, Helena M Smith-; Walsh, James J; 19 Walter Living Trust; Warzynski, Deborah A; Warzynski, Robert R; Watson, Troy Allen; Wellock, Tammy L; Wellock, William S; Welsh, Barton W; Welsh, Olivia W; Wenzel, Agnes M; Wertz, 20 Anna L; Wertz, Donald R, Sr.; West, Cheryle A; West, Robert W, Jr.; Whipple Family 2001 21 Trust; Whitlock 2002 Trust; Wilkins, Colin; Wilkins, Gale; Wilkinson, Gary and Roni Living Trust; Williams, A Harvey; Williams, John Cameron; Wilson, Patricia Ann; Wilson, Woodrow 22 G; Wood, Aloha; Wood, Marty Dale; Wood, Vince; Abilla, Vicki Lynn; Adams, Barbara L.; Adams, Daniel P.; Allen, Emma; Allen, Raymond; Allen, Stanley J.; Allen, Willes E.; Aziz, Carol E.; Aziz, George A.; Banta, Bridget; Banta Darrell; Bellizzi, Paul A.; Bellizzi, Sandra B.; J. R. 24 Benton Co., LLC; Berry, Matthew P.; Berry, Yvette R.; Bluff, John W. and Margaret A. Bluff Living Trust; Bonnet, Archie L. Sr.; Boyanich, Lila L.; 25 Boyanich, William S.: Bradford, Nathaniel; Bradford, Suzanne; Bromps, Ronald W.; Bromps, Tedra-Kay; Brondel, Kathy L.; 26 Brondel, Karen; Butterfield, Barbara L.; Butterfield, Robert B.; Button, James A.; Cain, Connie L.; Cain, Robert E.; Campi 1983 Family Trust; Capps Trust of 1996; Carlos, Clarence; Carlos, 27 Rose; Carter, Korene; Carter, Victor; Carsey, Jo A.; Janet M. Cassidy Living Trust; Chacon Trust; 28

## Case 3: 3-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 46 of 102

Chelone, Bonnie D.; Chelone, Louis J. Sr.; Chisum, James W.; Christensen, Patrick; Christensen, Shirley; Christie, Cecelia M.; Clark, Michael L.; Clark, Roberta Lea; Clark, Trisha C.; Clayton, Sheila; Baker, Lois Allen; Cole, Edward F.; Cole, Marilyn E.; Cole, Robert L.; Cole, Patricia D.; Cook, Linda K.; Corbit Living Trust; Victor M. Cota and Annette L. Cota Trust Agreement dtd 3 12-13-95; Cowee, Lorraine M; Cox, Wilfred L.; Cox, William M.; Crabtree, Gary I.; Crabtree, Jeannine C.; Cramer, Robert L.; Cramer, Candy L.; Gareth A. R. Craner Trust; Croker Family Trust; Annett L. Crow Trust; Desert Hills Dairy, LLC; DeVault, Joseph L.; Dane and Eileen Dunham Family Trust; Eckart, Catherine L.; Elmer, Caroline; Frank H. & Dorothy H. Elwell Trust; Anne W. Erkkila Trust; Evans, Richard D.; Faacks, Billie J.; Faacks, Kenneth; Fisher, Kenneth W.; Focha, Judith C.; Focha, Peter A.; Frediani, Verna M.; Raymond and Carol Fuller Family Trust; Garland, Marcellus A.; Garland, Rosalie H.; Tedrow James and Marilynn Ruth Gates 2002 Family Trust; Gonzalez, Nancy J.; Gonzalez, Ruben; Grant, Charles N., Jr.; Grant, Kerri 8 H.; Griggs, Ian W.; Frances Helen Hedlund Trust; The Herbst Living Trust; Herbst, George L.; Herbst, J. Maxine; Herman, Tracy David; Hern, Carla Sue; Hill, James M.; Hill, Sheila A.; Hiskett, Michael; Hoffman, Doris M.; Hoffman, Melvin L.; Holden, Anna L.; Holden, Kirk L.; 10 Holderman, Mark S.; Holderman, Robyn L.; Homan, Frank W.; Homan, Glenda J.; Honker 11 Ranch, Inc; Hoover, Caroline; The Hoover Family Trust; The Hoverson 1994 Trust; Howell, Merlin; Walter H. And Laura J. Hubmer Family Trust; Hunewill, Claude D.; Hunewill, Florence M.; Hunewill, Frank E.; Hunt, Gerald; Huss, Willard F.; Hussey, Robert L.; Hussman, Loring W.; Hussman, Mary Kathleen; Jardine, Jeffrey E.; Johnston, Carol A.; Johnston, John; Jones, 13 Marjorie Ann; Kadush, Katheryn; Kadush, Michael; Keen, Vivian D.; Keen, William; Kilby Family Trust; Kirk, Donna B.; Kuhl, Michele R.; Kuhl, Ronald H.; LaFleur, Felicia; LaFleur, Justin; Langdon, Dwight; Langdon, Jerilyn; Lail Family Revocable Trust Agreement; LaSalle 15 Bank N A Trust; Lewis, Leo J.; Libscomb, Paul G.; Long, Heidi K.; Long, Joshua T.; Lumen, Fred A.; Lumen, Susan K.; Marcom Family Trust dtd 11-20-2000; Matlean, Milton; Morris, Daryl John H. Neil Living Trust; B., Sr.; Munn, Adele B.; Munn, Chester D.; Munoz, Oscar; 17 Neiswonger, April J.; Neiswonger, Keith L.; Gary R. Nelson and Donna S. Nelson Revocable 18 Trust; Nelson, Melisa L.; Christine G. Neusbaum Trust; Newman, Albert W., Jr.; Nielsen Family Trust dtd 7-12-04; Nimmo, Deborah; Nimmo, Gregg; Nolan, Virginia; Northey, Kathryn; Oakley 19 Family Trust; Oehlerking, Jerry W.; Oehlerking, Kathryn J.; Ogan, Charlette F.; Ogan, John V., Jr.; Ogden, Billy A.; Ogden, Kathy D.; Ogden, Marlin H.; Ohl, Birdella; Ohl, Robert; Olmedo, Faustino; Pardick, Harry William, Jr. 1998 Revocable Living Trust Agreement; Payne, Lissa Lee 21 Herman; Pechtel, William A., Jr.; Howard B. Penney & Karen A. Penney Family Trust Agreement; 22 Martin W. and Norma D. Petersen Trust; Petersen, Roy D.; Pfaffle, Dale F.; Pfaffle, Kathryn Dianne; Pillow Family Trust; Donald J. Pokorni Trust; Pommerening, Dan; Pommerening, Keri; 23 Pope Family 1999 Trust; Power, Judith K.; Power, Kent L.; Presley, Barbara L.; Presley, Windel D.; Prevost, Charles A.; Prevost, Dana E.; Price Family Revocable Trust of Nov. 1998; Price 24 Living Trust; Prince, Melvin F.; Ron and Judith Remington Trust dtd 7-13-04; Richardson, Velma 25 J.; Sharlene E. Riehle Living Trust; Marilyn D. Rilling Trust; Ritter, Harold N.; Ritter, Katie J.; Robertson, Ellen A.; Robertson, Michael E.; Rosaschi, Gary A.; Rupert, Lotus R.; Rupert, Peggy 26 J.; Sam, Mayany; Sampson, Cynthia M.; Sampson, Keith A.; Sanders, Eleanora R.; Scarpello, Frederick V.; Saunders, Eva; Savage, Anne L.; Scatena, Lorraine Borba; Shattock, Mildred E.; 28

## Case 3:78-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 47 of 102

2

4

6

8

10

11

12

13

15

16

17

18

19

20

22

24

25

26

27

28

Shipley, Alice N.; Shipley, John H.; Shipman Family Trust Agreement: Shope Family Trust: Shreve Family Trust dated 2/23/95; Simmons Living Trust dtd 3-3-98; Smith, Jennifer Ann; Smithson, Elizabeth F.; Smithson, William E.; Marlyse Reed Stanley Revocable Trust; Stinson, Barxdal W.; Stinson, Dawn N.; Stitt, John M.; Stitt, Julia T.; Stottlemeyer, Charles E.; Stottlemeyer, Edna G.; Swirsky, Mary K.; Swirsky, William A.; Szeredy, Gayle A.; Szeredy, Walter; Talbott, Amos; Talbott, Jennifer; Taylor, Janet C.; Taylor, Jerry; Terrini, David E.; Thayer, Janet; Thompson, Grant; Thompson, Margaret; Tilden, Bruce A.; Townsend, Fredrick; Vogel, Beverly K.; Vogel, Bruce G.; Wagoner, Larry; Wagner, David L.; Wagner, Victoria; Wagoner, Starla; Walker, Orllyene D.; Walker, Ron; Wass, Chesley E.; Wass, Janet A.; Richard and Joy Weber Family Trust; Weiser Living Trust; Kurt M. and Nancy J. Werner dba Greene Valley Rentals; Wilson, Larry; Wilson, Linda Marie; Winans Family Trust; Winkler Family Living Trust; Wipfli, Colleen M.; Withers, Brett; Withers, Lacy; Womack, Gregory; Womack, Rov C.; June F. Woods Trust; Wright, Bonnie; Wright, Greg; Wright, Larry D.; Young, Ardell; Clyne P. Bauer Trust; Morris and Winifred M. Kahn Family Trust; Fairfield Ranch, LLC; Darlene G. Moss; Stoughton, Candace; Pinion Pines MHC, LLC; Eisenhauer, Katherine Francis; Phillips, Mary Roseanne; Lubbe, Gregg E.; Lubbe, Shelly M.; Criqui, Sherrie D.; Kozerski, Russell; J.P. & N.A. Costa Family Trust; Sterling Trust Company, fbo Kevin R. Weiss IRA; Diekmann, Cynthia Tanaka; Thom Family Trust; Diane J. Walter Trust; Roman Catholic Church; Allen, Stanley J.; Allen, Willes E.; Eagle Valley Mobile Home Estates; Arthur, Marsha K.; Arthur, Paul E.; Barlow, Holman F.; Bellew, Salley; Bellew, Daniel; Bradley, Audrey M.; Tri-State Motor Transit Co.; Tri-State Properties, LLC; Robert H. and Lydia R. Calderon Family Trust; Campbell, Nancy A.; Campbell, John A.; Canterbury, Sr., William M.; Canterbury, Kathleen R.; Cassano, Charles F.; No Worries, LLC; Chichester, Daniel; Christof, Brian S.; Clifford, Stephen M.; Cloutier, Lois Allen; Corkern, Aubrey; Coverstone, Lois A.; Coverstone, Kenneth W.; Cronan, Patricia; Yerington Enterprises; Doyle, Robert L.; Drake, Carol; Draper, Steven M.; Dreyer, Estate of Herman L; Dumas, Paula K.; Dumas, Troy J.; Edgerle, Jean; Erbin, Guy; Farias, Ellias; Farias, Dianne; Fletcher, Shirley Ann; Foster, Stephanie; Hoye Plaza, LLC; Giovacchini, Lloyd P.; Grover F. Glasner Trust; Goede, Mary J.; Goede, Donald H.; Goldsworthy, James H.; Goldsworthy, Myron J.; Gonzalez, Maria Camargo; Gorrindo, Lorolyn; Grant, Kathy; Griffin, Kathleen D.; Griffin, Patrick H.; Hansen, Cheryl; Hansen, Roger H.; Francis W. Hanson Family Trust; Harpster, James E.; Harpster, M. Eve; Hartman, Charles J.; Hartman, Mary A.; Haugen, Jeffery R.; Haugen, Katherine-Helene; Haworth, Norman C.; Hayden, Claudia K.; Hayden, Timothy L.; Hazen, Jaqueline V.; Heath, Barbara; Heath, Richard Lee; Hendricks, William R.; Hendricks, Patricia M.; Hermance, Leslie D.; Hernandez, Guadalupe; Joel Dean Herzog and Patricia Ann Herzog 2003 Family Trust; Higgins, Oyd H.; Higgins, Iris Y.; Hurley, Candyce A.; Hurley, Jerry R.; Johnston, Hal; King, Shelia E.; King, Samuel H.; Kraske, Sandra L.; Kraske, Jack; Landeros, Armando; Lommori, Jeffrey J.; Lommori, Wendy B.; Lummus, Raymond H.; McGraw, Lenn D.; McGraw, Leslie M.; Mehlschau, Carol A.; Mehlschau, John H.; Iveson, Kathleen R.; Iveson, William J.; Micke, Rhonda J.; Milligan, Billie D.; Milligan, Jason R.; Mizer, Matthew C.; Montes, Delia; Moon, Arron; Mulderick, Hazel; Munro, Delores; Neilson, Michael W.; Nellis, Janice; Nelson, Laurie L.; Nelson, Michael H.; Ontiveros, Elizabeth D.; Ontiveros, Craig S.; Patrick, V, Paul E.; Patrick, Roberta L.; Palya Family Trust; Payne, Lisa Lee Herman

## Case 3 73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 48 of 102

2

3

4

; Pena, Mercedes; Pena, Esteban; Powell, Tana B.; The Powell 2004 Revocable Trust; Powell, Michael; Reger, Kristine; Reger, Arthur Frank; Sanchez, Leslie; Sanchez, Keno; Scott, Sherry; Smith, Eola S.; Songer, Sharon L.; Tyndall, David J.; Valentino Family Trust; Vaughan, Katherine; Waite, Sean; Waite, Andrea; Werner, Kurt M.; Werner, Nancy J.; Wilson, Linda M.; Stephen M. and Betty C. Moyer Trust; Thrailkill, Laura M.; Bluth, Marta L.; Hiskett, Darlene; Sweatt, Clifford; Bently, Donald; Fulstone, Estate of Irene E.; Roberts, Estate of George C.; Roberts, Mabel R; Rogers, Harold B.; Rogers, Alice Y.; Humphreys, Lynn Frances; Angle, Renee M; Banta, Jeff W.; Banta, Angela Ellington; De Pina, Roy; Robert J. Gill Trust dtd 6/10/2002; Cheryl Presley Trust dtd 6/10/2002; Spagnol, John H.; Spagnol, Dona D.; Hulstrom, Gene E.; Hulstrom, Donna; 6 Hill, Shirley E.; Hill, Martin A.; Black, Shaun R.; Black, Stephanie A.; Lodato, Joseph S.; William M. Weaver Jr. Revocable Trust; Kelly, Dena; Riddle, Judy A.; Martin, Cheryl Lynn; Jones, Scott; Jones, Carol; McKinnon Living Trust; Simen, Elouise M.; Wilkerson, Dennis L.; Mudloff, Norman; 8 Muir, Linda K.; Muir, Maurice R.; Cary and Cheryl Towery Family Revocable Trust; Mulreany Family Trust; Mulreany Properties, LLC; Munday, John C.; Munday, Mary W.; Larry Joe Munson Trust:; McDonald, Franklin David; McDonald, Melanie L.; Jack S. and Arlene D. Oakes Trust 10 Agreement; Neddenriep, David; Neddenriep, Barbara A.; Jerry E. & Elaine M. Nansel Living Trust; Wyatt J. Owens 2004 Revocable Trust; Ott, Toshiko; Clarke, Darla; Perry, L. James; Coyle, Judy; 11 Van Straten, Rodney; Kelly, Donald K.; Kelly, Suzane; Otto, Herbert E.; Otto, Woodie P.; Siri O'Day and Mastelotto; Muscato, Estate of Jack; Muscato, Phyllis; Wright, Robert E.L.; Carter Revocable Trust; Great Escape Properties; Bryan Masini Children's Trust; Christie, Estate of Cecelia 13 M.; Sapp, Jerry R.; Menesini, James E.; Sapp, Jeannie A.; Smilie, Jr., William J.; Smilie, Rose M.; Poli Enterprises, Inc.; Price, Thomas A.; Price, Margaret M.; Maxine J. Casey Revocable Family Trust; Alonzo W. and Carol M. Pearce Family Trust; Bajuk, Robert O; Hernandez-Guerrero, 15 Martiniano; Scott, Dennis L.; Scott, Cathleen M.; Proctor, Lavern; Proctor, Norma L.; Proctor 16 Family Trust dated 5/19/01; Proctor, Derlin L.; Proctor, Wanda C.; Plamer Revocable Living Trust; Doll, Phillip James; Doll, Suzan Norinne; Valdez, Emerita Aguilera; Garcia, Jesus Gutierrez; 17 Valladares, Carlos; Valladares, Margarita; Guerrero, Herculano; Guerrero, Nicolasa Tadeo; Puerta, 18 Jr., Manuel L.; Puerta, Sharon L.; : Perez, Jose Luis; : Perez, Sylvia Pineda; : Pan, Trevor; : Pan, Derek; : Pace, Gentry M.; : Pace, Estate of Helen B.; Pace, James H.; Pace, Hattie J.; Peroddy, 19 James; Peroddy, Lorna F.; Perumean, Julie A.; Penaloza, Xavier; Peacher, Roger S.; Peacher, 20 Patricia L.; Pauly, Jeffrey M.; Pauly, Margaret M.; Robin L. Titus Family Trust; Park, William W.; Park, Linda L.; Pierce, Jeanne E.; Panici, Richard E.; Panici, Lura A.; Race, Richard; Chesnutt, 21 Richard W.; Chesnutt, Loretta L.; The Dean Radtke Trust; Ramirez, Ignacio; Ramirez, Patty Jean; Bitner, Dean G.; Bitner, Sharron P.; Redcher, Carl D.; Redcher, Donna M.; Redmon, Arthur Lee; 22 Redmon, Ruth E.; Redwine Family 1986 Trust; Flowers, Jeffrey; Simmons, Mark A.; Hurt, Steven 23 A.; Nalder, Kelly; Nalder, Daniel L.; Rice, Michael T.; Rice, Susan; Dunne, Frank; Rink, Ruth Klinstiver; Lang, Stephen; Lang, Nancy; Lang, Robert; Roberts, William B.; Roberts, Allison J.; 24 Roche, James L.; Roeder, Ronald R.; Roeder, Julia A.; Rogers, Alfred; Brenda Ann Rogers Trust; 25 Romano, Ken; Romano, Dennis; Romano, Diane R; Joseph Andrew Fochesato and Cathryn Jo Bond-Fochesato Revocable Living Trust; Rosaschi, Mary; Rowley, Veronica A; Rowley, Robert H.; 26 Royce, Jr., George; Algeo Family Revocable Trust; The Norman and Vivian Ruhl Living Trust; Ruic, Anita D; Ruic, Jay C.; Lemos, Travis; Carrillo-Ruiz, Jesus; Carrillo Smith, Debra D.; Yeagley, 28

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 49 of 102

Paul T.; Yeagley, June I.; La Fleur-Smith, Stephanie; Smith, Chad; Simpson, Richard L.; Suttor, James T.; Suttor, Lisa M.; Perry, James K; Perry, Martha M.; Scarlett, Patricia; Stephens, Gary; 2 Smith Valley Hall, Inc.; Aldridge, Howard; Aldridge, Rhonda; Budak, Mark D.; Alvarenga, Raul Antonio; Karabiyik, Kamil; Karabiyik, Joann; Reynolds, Frank C.; Reynolds, Vera K.; Andersen 3 Family 1992 Trust; Titus, Robin Lee; Smith Valley Scales, Inc.; Scott, Jack A.; Sierra Nevada Geothermal, Inc.; Wickenden, James R; Wickenden, Natasha A.; Tyler, Tobi L.; Steidtmann, 4 Howard; Hogarth, Arlyn David; Hogarth, Debra L.; The Ward Family Trust; Waller, Don A.; Waller, Kathy L.; Frederick W. Wagener and Joisa N. Wagener Family Trust; Wagener, Mark H.; Wagener, Barbara; The Woodworth Family Trust; Spurlock, Mark; Spurlock, Stacy L.; Walsh, MD, Tom J.; 6 Walsh, Anna M.; Wipfli Family Trust; (Worrell) Sanderson, Mildred I; Hanson, Gary; Hanson, Beverly; Meddles, Wilber Mark; Meddles, Maria Lisa; Cooper-Carpenter Development; Kelton, Daron Jay; Kelton, Suzanne C.; Hamlett Group LTD Partnership; Leroy H. Storke and Lois E. Storke 8 Family Trust; Preppy Vision LLC; Wright, Robert E. L.; Eckel, Estate of Mary V; Eckel, Estate of Edgar S.; Marshall, Estate of Theron L.; McClellan, Estate of Frank; Petersen, Estate of Donald D.; Barber, Harriet C.; Barber, Estate of S. Morgan; Estate of Theran L. Marshall; Humphries, Lynn 10 Frances; Kraske, Jack; Kraske, Sandra L.; Nagel, Diane Suzan; Stephens, Rodney Lee; Nordyke 11 Properties, LLC; Riddle, Eldon L.; Roe, Dennis; Roe, Shannon; Westfork; Kircher, Joseph; Riva, Herbert R; Clarke-Fairbanks, Christine R.; Riva, Herbert John; Curtis, Brent; Curtis, Jeanne; 12 Wallace J. Cavanaugh Trust; Cavanaugh, Wallace J.; Amalgamated Minerals Intl, Inc; Pitchfork 13 Ranch, Inc.; Giorgi, Baldo; Giorgi, Jr., Ugo; Giorgi, Elmo; Richardson, Gary W; New Hall-Daniel Ditch, Inc.; Renner & Associates, LP; Perry, James; Perry, Marti; Williams, Thomas E.; Williams, 14 Sandra Dee; Bellizzi, Paul A.; Bellizzi, Sandra B.; Breese, Christina M.; Breese III, Walter D.; 15 Hauan, Alan O.; Hauan, Victoria; Bertrand, Estate of Noe; Bertrand, Linville F; Braun, Charles F.; Braun, Patricia; Brinkley, Charles L.; Brinkley, Donna G.; Cornman, Robert; Lowery, William K; 16 Lowery, Ruby M.; Marriott, Lorna; Fannerella 1991 Trust; Gerald Arthur Schmiedeberg and Victoria Anne Schmiedeberg 2001 Family Trust Agreement; Muncy, B.J.; Muncy, Ruth; William B. Jacobsen 17 and Judith A. Jacobsen Trust Agreement; Newby, Dane; Sturgill, Jr., Robert F.; Sturgill, Deborah 18 A.; Schroder, Austin R.; Schroder, Julia G.; Jones-Caverly, Mary Ann L.; Jones, Frederick G.; Richard I Mahnke & Margaret Mahnke Family Trust; Mason, Robin ; McMahon, Lorie J.; 19 McMahon, Merle D.; Cathy L Kerrigan Trust DTD 12/16/05; Strople, Paul S.; Strople, Susan J.; 20 Guild III, Clark Joseph; Guild, Catherine L.; Hill, Alison B.; Buchwalter, Dudley E.; Mullen Family Trust dtd 8/4/05; Carney Revocable Living Trust; Carney, Ruth L.; Capra, Scott A.; Capra, Kim; 21 Park River Split Ranch, LLC; Castaneda, Jose J.; Denton Trust dtd 5/15/97; Davies, Gregory G.; 22 Davies, Ann E.; Barton, Luverne A; Barton, Sherrie; Towe, Cora; Towe, Wilford L.; Tibbals, Joy M.; Metallic Ventures (U.S.), Inc.; Scalise, Joseph F.; Scalise, Farrare; Walsh, Janine Y.; Walsh, 23 Stephen L.; Dorsey, Bernard; Dorsey, Ardith; Lodato, Estate of Joseph S.; Carole A. Romine Trust 24 DTD 12/16/05; Hardy, Shelly M; Hardy, Theresa M.; Richard Dean and Carol Ann Ernst Family Trust dtd 8/26/1992; Reger, Estate of Kristine; Snyder, Jim; Snyder, Bunny; Ruben, Ann; Ruben, 25 Keith; Cain, Jeffery; Cain, Linda; Dacquisto, Anthony D.; Dacquisto, Dominic; Dacquisto, Josie; 26 Funez, Roy J.; Precious Metals Recovery System LLC.; California Reconveyance Company; Nevada Copper, Inc.; Allen, Bernard; Allen, Margaret; Honker Gun Club; Bellew, Estate of Daniel T.; 27 Bolton, Daniel Brents; Sierra Roadhouse; Coyle, Julie; Dunn Living Trust dtd 2/20/1998; Emery,

28

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 50 of 102

Brett A.; Fulstone, Estate of Ed; Northern Nevada Urgent Care LP; The Mary A. Hartman Family Trust; Elephant, LLC; Hoferer Sr., Robert L.; Hoferer, Arlene M; Hulstrom, Donna J.; Hulstrom, 2 Gene E.: Kassebaum, Rita; Kassebaum, Darold; King, Kuniko; King, Roy A.; Luning, Estate of Eugene T.; Manha, Lorraine N; Manha, William D; Murphy, Dana; Murphy, Patrick; Quail Run, 3 LTD; Norman, Tim; Parraguire, Estate of David; William H. Pennebaker 2007 Trust Agreement; 4 GRP Loan LLC; Reed, Richard Ross; Riva, Estate of Herbert R.; Saunders, Estate of Eva; Simpson, Gerald M.; Vaccaro, Lori C.; Wescott, Donald C.; Wescott, Patricia J.; Wood, Wanda L.; Wood, Kenneth B.; Virginia Lake Mutual Water Co.; Park Livestock Company; State of California Water 6 Resources Control Board; Baker, Christina; Topaz Lake Mobile Home Park, LLC; Berinati, Donald J.; Christiansen, Jeffrey L.; Christiansen, Jill; The Spring Valley Trust; Courtney, Jean; Courtney, Gordon; Courtney, Debra Marie; Curry, Robert R.; Dunn, Tammy M.; Robert S. Dunn and Tammy 8 M. Dunn 1997 Revocable Family Trust; Dunn, Robert S.; Eitel-Marti, Loretta Beth; Brett A. Emery 1999 Revocable Trust dtd 12/27/1999; Eastern Sierra Unified School District; Johnson, Donald M.; Katusich, Michael; Katusich, Mary Lynne; The Trust for Public Land; California Department of 10 Parks & Recreation; Marti, Steve; Mausbach, Judith; Reasoner, Martha; Reasoner, Gary; Schmidt, Reinhard E.; Smith, Donna; Smith, Richard; Rockhound Family 1991 Trust dtd 4/11/199; Sommers. 11 Michael C.; Sommers, Linda; The Stevens Family trust udt 11/18/03; Swauger Ranch Inc.; Valdez, Ramon V.; Valdez, Myrna E.; Ramon V. and Myrna E. Valdez 2003 Revocable Trust uta Dated 12 April 8, 2003; Watkins, Louis H.; Wooldridge Family Trust dtd 9/13/1988; Toiyabe Indian Health 13 Project, Inc.; Bridgeport Reservoir Recreation Area, Inc.; Annett, Estate of Alpha; Annett, Norman W.; Cal-Coast Marine, Inc.; Gilleland, Avery C.; Gilleland Theresa; The L.A. and C.R. Harlander 14 Trust; Hinds, Jeffery H.; Hinds, Michele C.; Nearpass, Lynn; Nearpass, Lois; The Fesko Family 15 Trust UDT 1-6-93; Alpine Propert Management, Inc.; Twin Lakes Enterprises, Inc.; Little, James Edgar; Little, Brinn Ellen; Napier Family Trust; American Land & Leisure, Inc.; The Charles A. 16 Baker, Jr. Family trust dtd 6/20/2008; Maynard M. Enos and Anne L. Enos Revocable Trust Under 17 Trust Agreement Dated March 16, 1995; Walker General, Inc.; Sandra Marshall Living Trust; Webb, John S.; Webb, Carolyn J.; Smith, Daniel; Cramer, Robert. 18

Counterdefendants.

All known Claimants to Groundwater and Water of the Walker River and its Tributaries in the State of Nevada and the State of California.

Complete Caption to be Served at a Later Date

27

19

20

21

22

23

24

25

26

28

cdom12 - 20 -

#### .

# 

## 

# 

## 

#### 10.

#### 

#### 

## 

18.

## 

## 

#### 

## 

·27

# FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA

COMES NOW, the United States of America, at the request of the Secretary'of Defense, the Secretary of Agriculture, and the Secretary of the Interior, by and through its undersigned attorneys, on its own behalf and for the benefit of the Walker River Painte Tribe, the Yerington Painte Tribe, the Bridgeport Painte Indian Colony, and several individual Indians who are owners of allotments, either held in trust by the United States or held in restricted status by the United States, and herewith asserts the following claims:

#### INTRODUCTION

1. This first amended counterclaim is made for the confirmation and declaration of certain rights in the United States to the use and storage of water in, on; under and otherwise appurtenant to certain lands in the Walker River basin owned by the United States that are under the jurisdiction of the Department of Defense, the Department of Agriculture and the Department of the Interior; or, held in trust or restricted status by the United States for the benefit of individual Indians, and certain Indian Tribes. The rights set forth in this first amended counterclaim are in addition to the right to divert the natural flow of the Walker River and its tributaries, awarded to the United States in the Decree entered in this action on April 15, 1936, as amended on April 24, 1940 in United States v. Walker River Irrigation Dist., In Equity No. C-125, hereinafter, the "Decree."

#### JURISDICTION

2. Jurisdiction over this first amended counterclaim is pursuant to (i) the continuing jurisdiction of this Court, by virtue of the Decree entered herein, over the waters of the Walker River and its tributaries in California and Nevada; (ii) 28 U.S.C. §1345 in that the proceedings are brought by the United States; (iii) 28 U.S.C. §1367 which vests the court with supplemental jurisdiction; (iv)

28 U.S.C. §1651 which authorizes the court to issue all writs necessary or appropriate in aid of its jurisdiction; (v) 28 U.S.C. §1331, in that this first amended counterclaim is brought by the United States of America, on its own behalf and for the benefit of individual Indians, and Indian Tribes, and the matter in controversy arises under the Constitution, laws or treaties of the United States.

ì

5

6

7

8

9

10

11

12

13

1.4

15

16

17

18

19

20

21

. 22

.23

24

- 25

26

27

28

#### **PARTIES**

- 3. Counterclaimant, the United States of America, appears in this case on its own behalf and for the benefit of specified individual Indians, and certain Indian Tribes.
- 4. Counterdefendants are all claimants to water of the Walker River and its tributaries, including groundwater.

#### GENERAL ALLEGATIONS

- 5. The United States of America, under the Decree, currently has the right to use the natural flow of the waters of the Walker River and its tributaries in the amount of 26.25 cubic feet per second with a priority date of November 29, 1859, to irrigate 2,100 acres of land on the Walker River Reservation.
- 6. The suit commenced by the United States in 1924, under Docket Number C-125, was brought to quiet title and only concerned the water rights for use on the Walker River Indian Reservation as those boundaries existed at the time the suit was commenced. The suit did not adjudicate the groundwater rights of any of the parties in the litigation.
- 7. Paragraph XII of the 1936 Decree, entered on April 15, 1936, was amended on April 24, 1940, to reflect that the Decree determined water rights "as of the 14th day of April, 1936."

  Paragraph XIV of the Decree provides that this Court retains jurisdiction for a number of purposes, including modification of the Decree.
- 8. Subsequent to April 14, 1936, numerous persons and other entities, including the United States, have appropriated additional waters from the Walker River Basin and its tributaries. In many instances such claims to the use of water have not been subject to any adjudicative process.
  - 9. In addition to the Walker River Indian Reservation, there are other lands within the Walker

River Basin owned by the United States that are under the jurisdiction of the Department of Defense, the Department of Agriculture and the Department of the Interior. There are also lands in the Walker River Basin, in addition to the Walker River Indian Reservation, owned by the United States and held in trust or restricted status for the benefit of specified individual Indians, the Bridgeport Painte Indian Colony and the Yerington Paulte Tribe.

.13

.20

These lands and their appurtenant water rights and claims for water are more particularly described below.

#### FIRST CLAIM FOR RELIEF

#### WEBER RESERVOIR

- 10. Weber Reservoir is a federally-constructed reservoir located on the Walker River Indian Reservation with a storage capacity of approximately 13,000 acre feet. The reservoir was practically completed in 1935, although floodgates were added in 1937. The United States, for the benefit of the Walker River Painte Tribe, is entitled to store water from the Walker River and its tributaries in Weber Reservoir for all purposes recognized under federal law including but not limited to irrigation, stock watering, fish and wildlife, and domestic uses.
- 11. By the use of Weber Reservoir to store water, the Walker River Painte Tribe can irrigate more than the 2,100 acres which it presently is entitled to irrigate under the terms of the Decree.
- 12. The right to store water in Weber Reservoir has a priority date of April 15, 1936. The amount claimed is 13,000 acre-feet plus evaporation and seepage.

#### SECOND-CLAIM FOR RELIEF

#### LANDS RESTORED TO WALKER RIVER RESERVATION

- 13. Paragraphs 1-12 are incorporated herein as if fully set forth in this paragraph 13.
- 14. The Walker River Indian Reservation was established in 1859 with a land base of approximately 320,000 acres. Under the Act of May 27, 1902, 32 Stat. 260-261, the Reservation land base substantially reduced. A substantial part of these original Reservation lands, however, were restored to the Reservation on September 25, 1936, pursuant to the Act of June 22, 1936. The Act of June 22, 1936, 49 Stat. 1806-07, authorized the Secretary of the Interior to set aside certain lands as

4

5

.9

10

11 12 13

14

15

16

17

18

19

.20

21

22

. 23

24

25

26

27

28

- 15. The United States, for the benefit of the Walker River Painte Tribe, is entitled to use water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the restored lands of the Reservation for all purposes recognized under federal law. The restored lands of the Reservation are entitled to a federal reserved water right as of the date of restoration.
- 16. The United States, for the benefit of the Walker River Painte Tribe, is entitled to water rights for the restored lands in addition to the rights now recognized for use on the lands of the Reservation under the Decree.

#### THIRD CLAIM FOR RELIEF

## GROUNDWATER FOR ALL LANDS WITHIN WALKER RIVER RESERVATION

- 17. The United States, for the benefit of the Walker River Painte Tribe, is entitled to use the groundwater of the Walker River basin located in, under, adjacent or otherwise appurtenant to all lands of the Walker River Indian Reservation not otherwise claimed in this First Amended Counterclaim.
  - 18. The amount claimed is the amount necessary to fulfill the purposes of the-Reservation.
  - 19. The priority date claimed is November 29, 1859, or, in the alternative, April 15, 1936.

### FOURTH CLAIM FOR RELIEF

#### YERINGTON PAIUTE TRIBE

- 20. Paragraphs 1-19 are incorporated herein as if fully set forth again in this paragraph 20.
- 21. The United States, at the request of the Secretary of the Interior, and for the benefit of the Yerington Painte Tribe, makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter described.
  - 22. The Yerington Reservation is located in Lyon County, Nevada, approximately eighty (80)

. 3

٠5

7 8

6

9

.10

. 11 12

13

. 14 15

> 16 17

18

19

20

21 22

23 24

25

26 . 27

28

miles southeast of Reno, Nevada. The Reservation contains 1,636.24 acres, of which approximately 22.9 acres are located within the City of Yerington, Nevada. The majority of these lands were acquired pursuant to the Indian Reorganization Act, §§ 5, 7, 48 Stat. 984, 25 U.S.C. §§ 465, 467.

23. The United States claims federal reserved water rights for these lands with the following priority dates:

#### A. Parcel 1:

Parcel 1 is 9.456 acres located in Section 22, T. 13 N., R. 25 E., MDM. The priority date claimed is May 25, 1917, which is based on the Act of May 18, 1916, 39 Stat. 143. In the alternative the priority date claimed is April 15, 1936...

#### B. Parcel 2:

Parcel 2, which is sometimes referred to as Campbell Ranch, is 1,036.24 acres located in portions of Sections 7,17,18, and 20. MDM. The priority date claimed is December 10, 1936, the date of purchase, which purchase as made pursuant to the Indian Reorganization Act of 1934, §§ 5.7, 48 Stat. 984, and the Act of May 9, 1935, 49 Stat. 176.

#### C. Parcel 3:

Parcel 3 is 120 acres located on the N1/2 of the NE1/4 OF Section 18, and the NE1/4 of the NW1/4 of Section 20, T. 14 N., R. 25 E., MDM. The priority date claimed is June 18, 1940, which is based on the Act of June 18, 1940, 54 Stat. 414-415. In the alternative, the priority date claimed is November 15, 1941.

#### D. Parcel 4:

Parcel 4 is 12.91 acres in or near the Town of Yerington located within the NW1/4 of Section 22, T. 14 N., R. 25 E., MDM. The priority date claimed is the date of purchase, January 20, 1978.

#### E. Parcel 5:

Parcel 5, which is sometimes referred to as Arrowhead Ranch, is approximately 480 acres located in the W1/2 and the W1/2 of the E1/2 of Section 16, T. 14 N., R. 25 E., MDM. The priority date claimed is April 9, 1979.

24. The federal reserved water claimed for the benefit of the Yerington Painte Tribe is claimed in order to fulfill the purposes of the Reservation. In addition to the claims set forth

3

4

5

6

7

8

9

10

11

12

-13

14

15

.16

17

18

19.

20

21

22

23

24

25

:26

27

above for federal reserved rights, the United States also seeks a declaration and confirmation of the water rights held under state law which have been acquired in connection with the above described parcels. FIFTH CLAIM FOR RELIEF BRIDGEPORT PAIUTE INDIAN COLONY . 25. Paragraphs 1-24 are incorporated herein as if fully set forth again in this paragraph 25. 26. The United States, at the request of the Secretary of the Interior, and for the benefit of the Bridgeport Painte Indian Colony makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter described. 27. The Bridgeport Paiute Indian Colony consists of 40 acres and is located in the SE1/4NE1/4, Section 28, T. 5 N., R. 25 E., MDB&M. 28. The United States claims federal reserved water rights for the Bridgeport Painte Indian Colony, made pursuant to an Act of Congress, 88 Stat. 1368, with a priority date of no later than October 18, 1974, the date of creation of the Colony. 29. In addition, for the Bridgeport Paiute Indian Colony, the United States also claims water rights based on California law, including but not limited to riparian, overlying and prescriptive rights, if any. 30. The water claimed for the benefit of Bridgeport Paiute Indian Colony is claimed in order to fulfill the purposes of the Colony. SIXTH CLAIM FOR RELIFF GARRISON AND CLUETTE ALLOTMENTS 31. Paragraphs 1-30 are incorporated herein as if fully set forth again in this paragraph 31. 32. The United States, at the request of the Secretary of the Interior, and for the benefit of the Garrison and Cluette allottees makes the following claim for water from the Walker River, its

tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands

hereinafter described.

i

2

3

-4

5

6

7

8

´ 9

.10

11

12

13

14

15

16

17

1.8

19.

20

21

22

23.

.24

25

26

- 33. The Garrison and Cluette Allotments are both located in S. 17, T. 8 N., R. 23 E., MDB&M. The Garrison Allotment consists of 30.18 acres; the Cluette Allotment consists of 20.02 acres.
- 34. The United States claims federal reserved water rights for the Garrison and Cluette allotments, made pursuant to the Act of June 30, 1932, 47 Stat. 474, with the following priority dates:

#### A. Garrison Allotment:

The priority date claimed is no later than November 10, 1933. In the alternative, the priority date claimed is April 15, 1936.

#### B. Cluette Allotment:

The priority date claimed is no later than May 8, 1933. In the alternative, the priority date claimed is April 15, 1936.

- 35. In addition, for both allotments, the United States also claims water rights based on California law, including but not limited to riparian, overlying and prescriptive rights.
- 36. The water claimed for the benefit of the Garrison and Cluette Allottees is claimed in order to fulfill the purposes of the allotments, above and beyond any water rights already acquired under State law for these allotments.

#### SEVENTH CLAIM FOR RELIEF

#### INDIVIDUAL ALLOTMENTS

- 37. Paragraphs 1-36 are incorporated herein as if fully set forth in this paragraph 37.
- 38. The United States, at the request of the Secretary of the Interior, and for the benefit of the individual Indians, makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter described:

	Allotment #	Ťownship	Range	Section	Portion	Area (acres)	Walker R. Basin
. 1	402	10N	21E	1	NW 1/4	119.43	Yes
2	212	10N	21E ·		SMM	160	Yes

27 28

-27-

.1		3	403	10N-13-50	. 21E	2	NEIA A	159.50	Yes
2		4	404	ION	.21E	2	NW1µ	159.05	1% de
3	1	5	405	ION STA	21E -	2	SW 114	160	Postpa
- 4	ľ	6 · · ·	719	10N	21E	2	SEIM	160	Yes
5	ı	7	406	10N · · ·	21E	111	NW1H	160	Partial
· 6	ł		723	1DN	21E	14"	NEW	160	Partial
	1	9	721	10N	21E	12.	NW1K	160	Yes
7	I	10	735 -	1011	218	.14	2Ena	160	1% outside
. 8		.11 .	699	-10N	21E	12	.SW1H	160	Yes.
9	ı	12	698	10N	21E	12	SEU4	160	Yes
10		13	725	10N	21E	13	NE114	160	Yes
11	İ	14	726	1011	21E	13.	NW14	. 160	Yes
:12		15	727	100	21E -	13	SW114	160	Yes
٠.,	l	16	718	TON	218	13	SEIH	160	Yes
. 13		-47-	715	TON	21E	24	NE 1/4	160	Yes
14	l	18	716	10N	21E	24	NW1/4	160	Partial
15		19 .	717	10N	21E .	24	SEIM	160	Yes
16	H	20	682	10N	22E	1	S1/2NE1/4	80	Yes
17		ļ <del>:</del>		10N	22E	1	SEMANWIM	40	Yes
18	H			10N	22E	1	NE1/4NE1/4	32.69	Yes
		21	304	10N	22E	3	SIRNWIA	80.01	Yes
19				10N	22E	3	.NWW4NW114	38.88	Yes
20.				10N	. 22E	3	NETHNW114	38.71	Yes
21		<b>2</b> 2	303	10N	22E	4	Sizneia	.80 .	. Yes
.22				10N	22E	4	-NEIMNEIM	39.01	Yes
23		· ,	· .	10N .	22E '	4	NW14NE114	39.12	Yes
		23	<b>2</b> 89 ·	ION	22E .	4	NW 1/4	158.59	Yes
.24		24	298	א01	22E	4	SMark	160	.Yes -
25		25	290	10N	22E	4	SEIM	160	Yes
26		26	236	10N ·	22E	6	NE 1/4	160	Yes
27		.27	235		22E	6	NW1K	160	Yes
28		28	237	10N	22E	6	SEIM	160	Yes
20	ı		•						· · · · · · · · · · · · · · · · · · ·

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 59 of 102

. #					<del></del>		<del></del>	
1	29	238	108	22E	7.	NETH	.160	Yes
2	30 .	276	10N	22E	j - ···	Euzseim	80	Yes
3			10N -	22E	8	SUZSWIH	8Ó	Yes
4	31	277	100	22E	8	Sizseih	80	Yes
- 1			10N	22E	17	N1/2HE 1/4	. 80	Yes
5	32	260	118	21E	36	NE1/4	160	Yes ·
6	33	259	. NI F	21E	36	NW I/A	160	Yes
7	34	399	11N	21E	36	N 1/2SE 1/4	80	Yes
8			11N	· 21E	36	SEHSEIM	40	Yes .
9	35	257.	11N	21E	25	SW1H	160	Partial
10	36	258	11N .	21È	25 .	W1/2SE1H	80	Yes
Ĭ			118	21E ·	25	SEIMSEIM	40	Yes
11	37	215	11N	21E	25	NETANETA	39.95	No
12			11N	22E :	30	NWMMIM	39.48	Partial ·
13			11N .	22E	30	SWIIANWIIA	39.48	Yes ·
14	38	216	11N	72E	30	W1/2NE1/4	.80	Partial
15			11N	22E	20	E1/2NW144	80	Partial Partial
1	38	217	1111	22E	30	E1/2NE1#	80	Partial
16	·	<u> </u>	110	22E	29	W1/2NW1/4	·80 ·	Partial .
17	40 .	218	TIN	228	29	W1/2NE1H	80	Partial
18.	<u> </u>		TIN.	22E	29	E1/2NW14	80	Partial
19	41	205	1111	22E	30	E1/2SW1#	80	Yes
20			11N ·	22E	30	NW 114SW 114	139.54	Yes
21	· .	<u> </u>	1111	22E ·	30.	SW 1145W 114	39.59	Yes
22	42	285	1111	22E	30	SE1/4	160	Yes
	43	287	11N · ·	22É	29	SWH	160 .	Yes
23	44	344	11N ·	22E·	29	SEIM	160	Yes
24	45	305	11N	22E	31	E1/ZNW N4	78,02	Yes
25	<u> </u>	<u>                                     </u>	TIN	22E	31 .	NW 1/4 NW 1/4	39.67	Yes .
26		<u> </u>	11N	22E	31	SW1/4NW1/4	39.76	Yes
·	46	306	11N	22E	31	NEIM	160	Yes
27	47	400	11N	22E	31	SW1/4	159.81	Yes

					<u> </u>	•	
48	401	. 118	22E	31	SEIM	160	Yes.
49	702	12N	22E	24.	NEIM	160	Yes
50	700	12N	22E	24	HWIM	160	Yes
51	701	12H.	22E	24	SWIM	160	Yes
52	705	12N	22E	24	SEH4	160	Yes
53	703	1211	22E	25	ИУТИ	160	Yes
54	704	12N	22E	25	SW114	160	Yes
55	706	12N	22E .	25	SE1/4	160	Yes

39. The United States claims federal reserved water rights for 55 allotments, made pursuant to the General Allotment Act of 1887, with the following priority dates:

#### A. Trust Allotments 1 through 5, 7 and 21 through 48:

The priority date claimed is no later than December 31, 1895. In the alternative, the priority date claimed is April 15, 1936.

#### B. Trust Aflorments 6 and 8 through 20-

9

10

ıi

12

13

14

· 15

16

17

18

**19** 

20

21

22

· 23

24.

25

26

27

28

The priority date claimed is no later than May 26, 1908. In the alternative, the priority date claimed is April 15, 1936.

#### C. Trust Allotments 49 through 55:

The priority date claimed is no later than December 9, 1907. In the alternative, the priority date claimed is April 15, 1936.

40. The water claimed for the benefit of individual Indian allottees is claimed in order to fulfill the purposes of the allotments.

#### EIGHTH CLAIM FOR RELIEF

#### HAWTHORNE ARMY AMMUNITION PLANT

- 41. Paragraphs 1-40 are incorporated herein as if fully set forth in this paragraph 41.
- 42. The Hawthorne Army Aminimition Plant (hereinafter "Hawthorne Reservation") was originally withdrawn and reserved from the public domain by Executive Order 4531 on October 27,

-30-

9

11 12

13

16 17

1:5

18 19

20

21 22

24 25

23

26 27

28

1926. Additional contiguous lands were withdrawn and reserved from the public domain to become a part of the Hawthorne Reservation pursuant to Executive Order 5664 on July 2, 1931, Executive Order 5828 on March 30, 1932 and Executive Order 6958 on February 4, 1935.

- 43. Said lands were reserved for the Hawthorne Ammunition Plant for the exclusive use and benefit of the United States Navy for the development and use as an ammunition depot. In 1979, the management of the Reservation was transferred to the Department of the Army.
  - 44. Pursuant to 10 U.S.C. § 3062, Hawthorne's mission includes:
  - (1) preserving the peace and security, and providing for the defense, of the United States, the Territories, Commonwealths, and possessions, and any areas occupied by the United States;
  - (2) supporting the national policies;
  - (3) implementing the national objectives; and
  - (4) overcoming any nations responsible for aggressive acts that imperil the peace and security of the United States.
- 45. The Hawthorne Reservation is located in Mineral County, Nevada adjacent to the town of Hawthorne on the eastern slope of the Wassuk mountain range and the south shore of Walker Lake, and contains approximately 147,000 acres of land dedicated to the above-stated mission.
- 46. The United States is entitled to the use of all of the waters located in, on, under, or otherwise appurtenant to the lands of the Hawthorne Reservation necessary to fulfill all of the purposes for which the reservation was created as recognized under federal or state law. Such lands are entitled to a federal water right with a date of priority date as of the date of the withdrawal and reservation from the public domain.
- 47. The United States of America has and is also entitled to state-based appropriative rights as well as federally reserved water rights in both surface and underground waters, including, but not limited to, aquifers, springs, seeps, rivers, streams and lakes wholly or partly on or otherwise appurtenant to the Hawthorne Reservation including Walker Lake in quantities of water necessary for present and future use and development of the Hawthorne Reservation and in the accomplishment of its mission. This includes, but is not limited to: providing water in amounts necessary for

Little Catch - up to 50 GPM

19

. 20

21

22

23

24

25

26.

27

28

- (b) <u>Squaw Creek/Black Beauty Reservoir</u>: Water is diverted from Squaw Creek up to 75 GPM and is stored in Black Beauty Reservoir.
- (c) Rose Creek/Rose Reservoir: Water is diverted from Rose Creek up to 200 GPM and stored in Rose Reservoir. Rose Reservoir has a storage capacity of 39,000,000 gallons (120 acre feet (af)). Water is drawn from Rose Reservoir via a pipe line to Black Beauty Reservoir.
- (d) Middle Rose Creek/Rose Reservoir: Water is diverted from Middle Rose Creek up to 75 GPM and is stored in Black Beauty Reservoir.
- (e) House Creek/Black Beauty Reservoir: Water is diverted from House Creek up to 25 GPM and is stored in Black Beauty Reservoir.

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 63 of 102

1	(f) Cat Creek Dam and Reservoir: Water from Cat Creek is stored behind Cat Creek Dam up
2	to 50,000,000 gallons (153 af). Water from Cat Creek is also stored in Black Beauty Reservoir.
э.	(g) <u>Dutch Creek</u> : Water may be diverted from Dutch Creek in amounts necessary for the
4	future use and development of the Hawthorne Reservation and in the accomplishment of its mission.
5	(h) Black Beauty Reservoir. A 48,000,000 gallon (147 af) storage reservoir which receives,
6.	or may in the future receive, its water from the sources listed in (a) through (g) above.
7:	(i) Walker Lake: Sufficient water for the purposes described in paragraphs 44 and 47, supra.
8	50. The reserved water rights for the Hawthorne Reservation, for present and future use and
ġ	development and the accomplishment of its mission, for the purposes described in paragraphs 44 and
10	47, supra, include, but is not limited to, the following groundwater sources and amounts:
11	(a) Well #1 - 950 gpm: Located north of the Industrial Area and south of HWY 95
1,2	and used to supply water to the Industrial Area. This water is pumped into a storage tank to be used
13	on demand.
14	(b) Well #2 - 250 gpm: Located east of the town of Hawthorne and just south of
15	HWY 95 at the entrance to the South Magazine Area.
15	(c) Well #3 - 250 gpm: Located east of the town of Hawthorne and south of HWY
17	95 and in the Southern Magazine Area.
18	(d) Well #4 - 250 gpm: Located in the southern storage area of the installation and
29	used to supply water to the South Magazine area via a pipeline to 3 above-ground tanks.
20	(e) Well #5 - 800 gpm: Located west of Schwear Housing Area and sometimes
21	stored in Black Beauty Reservoir.
22	(f) Well #6 - 640 gpm: Supplies Babbitt and the North and Central Magazine
23	areas. The water is pumped into a 1,000,000 gallon (3 af) storage tank for use on demand.
24	(g) Well #7 - 250 gpm: Located between tank 5 and building 108-20.
25	(h) Well #8 - (total available capacity): Located on the west side of tank 6.
26	(i) Well #9 - (total available capacity): Located on the southwest side of Babbitt
27	Housing Area.
28	51. In addition to the above-listed federal reserved water rights for the Hawthorne

. 9 10

1<u>1</u> 12

13 14

15

16

17

18 19

21

22

23.

20

24 25

2.6

~~

Reservation, the United States has numerous appropriative water rights some of which were acquired when land was purchased by the United States of America and which subsequently became a part of the Hawthorne Reservation.

52. In the event of a mobilization the increase in Hawthorne activities will rise to an as yet unknown amount, but at a minimum of approximately 80% (European crisis) to 150% (Pacific crisis) of current usage along with an attendant need for water.

#### NINTH CLAIM FOR RELIEF

## UNITED STATES DEPARTMENT OF AGRICULTURE

#### TOIYABE NATIONAL FOREST

- 53. Paragraphs 1-52 are incorporated herein as if fully set forth in this paragraph 53.
- 54. The Toiyabe National Forest extends from the crest of the Sierra Nevada range in California east to the Cambridge Hills in western Nevada. The Forest was created from several forest reserves which were withdrawn from the public domain beginning in 1907.
- 55. The Tolyabe National Forest is managed under several acts of Congress (hereinafter "Acts") beginning with the Organic Administration Act of 1897, ch. 2, 30 Stat. 34, 16 U.S.C. § 475 (1988) which provides that the purposes of the national forests are, inter alia, to "improve and protect the forest within the boundaries, or for the purpost of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United.

  States. . . . " The national forests are also managed under the principles of the Multiple-Use

  Sustained-Yield Act of 1960, Pub. L. No. 86-517, §§ I 4, 74 Stat. 215, 16 U.S.C. §§ 528-531 (1988)

  (hereinafter "MUSYA"), which provides that the national forests shall be administered for outdoor recreation, range, timber, watershed and wildlife and fish purposes. Portions of the Tolyabe National Forest are administered pursuant to the Wilderness Act (September 3, 1964) Pub. L. No. 88-577, 78

  Stat. 890, as amended, 16 U.S.C. §§ 1131-1136 (1988). Additionally, the National Forests and Public Lands of Nevada Enhancement Act of 1988, Pub. L. No. 100-550, § 5, 102 Stat. 2749, 16 U.S.C. §

  460ccc-3 (1988) which transferred lands between the Forest Service and the Bureau of Land Management, "expressly reserves the minimum quantity of water necessary to achieve the primary

5 6 7

9

11 12 13

15 16

17

14

18<sub>.</sub> 19

20 . 21

.22 .23

24

25 26

> 27 28

56. The United States is entitled to use the waters from the Walker River, its tributaries; and all other waters located in, on, under, or otherwise appurtenant to the lands comprising the Toiyabe National Forest in the amounts of water necessary to fulfill all purposes for which the reservation was created as recognized under federal or state law. Such lands are entitled to a federally reserved water right with a date of priority as of the date said lands were withdrawn and reserved from the public domain.

- 57. In connection with paragraph 56, supra, the United States is entitled to an instream flow reserved water rights in the amounts necessary to fulfill the purposes for which the Toiyabe National Forest was established under the Organic Administration Act of 1897. This includes, but is not necessarily limited to, reserved water rights in amounts necessary for the maintenance of the entire reach of each stream channel and all its named and unnamed tributaries lying-within the Toiyabe National Forest.
- 58. The United States also has and is also entitled to both reserved water rights pursuant to the Organic Administration Act and the above noted subsequent Acts as well as water rights under state law, both surface and underground water, both consumptive and non-consumptive, which include but are not necessarily limited to, all aquifers, springs, seeps, rivers, streams, lakes and waters otherwise appurtenant to the Toiyabe National Forest in the amounts necessary to fulfill all present and future administrative purposes on the Toiyabe National Forest as stated in the Acts. The use of these waters include or will include, but is not necessarily limited to: fire management activities, erosion control, revegetation, irrigation, domestic, stockwatering and timber production, which includes but is not limited to, reforestation, road construction and maintenance and silvicultural treatments.
- 59. The United States also has and is also entitled to reserved water rights pursuant to the Organic Administration Act and its successor Acts in both surface and groundwater which includes, but is not necessarily limited to, all aquifers, springs, seeps, rivers, streams, lakes and waters otherwise appurtenant to Toiyabe National Forest in the amounts necessary for fighting fires in said National Forest.

13°

· 24

60. The United States also has and is also entitled to instream flow water rights in the roiyabe National Forest within the boundaries of the State of Nevada in the amounts of water necessary to fulfill the purpose of providing habitat for fish and wildlife and for recreational opportunities for the public. To the extent these instream flow claims are not available under state law, the United States has federal reserved water rights for the purposes set forth in the MUSYA, supra. In such instance, the priority date is the date of the enactment of the MUSYA, June 12, 1960.

- 61. The United States also has and is also entitled to riparian rights in the Toiyabe National Forest within the boundaries of the State of California for riparian Forest Service land in the amounts of water necessary to fulfill the purpose of providing watershed management, habitat for fish and wildlife and for recreational opportunities for the public. The priority date for these riparian water rights is the date the United States took title from Mexico under the Treaty of Guadalupe Hidalgo; February 2, 1848. To the extent the above instream flow claims are not available under state law, the United States has federal reserved water rights for the purposes set forth in the MUSYA, supra, with a priority date of June 12, 1960.
- 62. The United States also has and is also entitled to certain appropriative water rights, including rights that either have been permitted and certificated pursuant to Nevada or California state law, or have applications pending for appropriation before the Nevada State Engineer and before the California Water Resources Control Board. In addition, the United States of America has riparian rights pursuant to California state law.

#### TENTH CLAIM FOR RELIEF

## UNITED STATES MARINE CORPS

## MOUNTAIN WARFARE TRAINING CENTER

- 63. Paragraphs 1-62 are incorporated herein as if fully set forth in this paragraph 63.
- 64. The United States Marine Corps, Department of the Navy (Marine Corps) operates a training base known as the Mountain Warfare Training Center (hereinafter "MWTC") within the Toiyabe National Forest. The Marine Corps presence in this National Forest dates back to 1951. Pursuant to an agreement with the Forest Service, the Marine Corps uses approximately 45,635 acres of the National Forest for cold weather and mountaineering training and evaluation of prototype

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 67 of 102

- equipment. This training area is the only site available to the Marine Corps for these activities. To support these training operations, the Marine Corps uses a 405-acre tract for a Base Camp, located at the confluence of Silver Creek and the West Walker River. Additionally, the Navy owns a family housing area 25 miles from the Base Camp.
- 65. The United States is entitled to use waters from the Walker River, its tributaries, and all other waters located in, on, under, or otherwise appurtenant to the lands of the MWTC in the amounts necessary to fulfill all purposes recognized under the federal and state law. Such lands are entitled to a priority date as of the date of the reservation.
- 66. The Marine Corps is diverting and is also entitled to certain waters pursuant to federal reserved, riparian, overlying, and appropriative water rights, including surface and groundwater sources, which are identified below:

#### a. Silver Creek:

1

2

3

- 4

5

7

8

9

10

11

12

13

14

15

16

17

18

. 1.9

20

21

. 22

23

24

25

26

27

28

Water needs of the Base Camp are supplied by surface diversions from Silver Creek and two groundwater wells, noted below. The Marine Corps uses water from Silver Creek based upon a pre-existing Forest Service claim and statement of diversion (USFS No. 9839), which is based on a riparian right, and has a priority date of 1951. Silver Creek surface water, up to 150 gpm, is diverted via a spillway located upstream of the Base Camp.

Silver Creek surface water is used for purposes that include, but are not limited to, training, domestic, industrial, fire protection, irrigation, construction, base hygiene, dust control, equipment and road washing, and future regulatory requirements for fire sprinkler system cross-connection control.

#### b. Base Camp Wells:

The Marine Corps' Base Camp domestic water demand is served by two groundwater wells, which are located in the Lower Base Camp up-gradient from all the buildings. Water is diverted from these wells up to the following amount:

Well No. 1 - 125 GPM.

Well No. 2 - 127 GPM.

An application for a Base Camp permit for both wells was submitted on May 26, 1993 to the

State of California, Department of Health Services.

#### c. Family Housing, Coleville, CA:

The Marine Corps also operates a family housing area on a tract approximately 40 acres in size and about 25 miles from the Base Camp. The facility, owned in fee by the U.S. Navy, is located within the West Walker River watershed on the eastern slope of the Sierra Nevada Mountains between the towns of Topaz, Nevada and Coleville, California. More specifically, the housing facility is located on the west side of highway 395, approximately 1.5 miles north of Coleville and about a quarter mile from the river. The housing area's domestic water demand, including domestic irrigation (lawn-watering of family gardens), is served by five wells. Water is diverted from these wells up to the following amount:

Well No. 1 - 21 GPM

Well No. 2 - 27 GPM

Well No. 3 - 14 GPM

Well No. 4 - 21 GPM

Well No. 5 - 200 GPM

The State of California, Department of Health Services, granted a permit for Well Nos. 1 - 4 on December 15, 1986, as water permit # 86-048, and amended that permit on February 11, 1994, to add Well No. 5 to the system.

19

2

3

5

6

7

8

9

. 10.

11

12

13 14

15

16

17.

18

## 20

#### 21

22

23 24

25

26 27

except as noted below.

28

#### ELEVENTH CLAIM FOR RELIEF

#### **BUREAU OF LAND MANAGEMENT**

- 67. Paragraphs 1-66 are incorporated herein as if fully set forth in this paragraph 67.
- 68. Certain lands were reserved from the public domain to establish Public Water Reserves No. 29, No. 70, and No. 107 (hereinafter "PWR"). These reservations were made pursuant to Executive Orders dated June 1, 1915, March 8, 1920 and April 17, 1926, respectively, and are administered by the Department of the Interior through the Bureau of Land Management ("BLM"),
  - 69. The United States is entitled to the use of all of the waters located in, on, under, or

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 69 of 102

otherwise appurtenant to the lands of the PWRs necessary to fulfill all of the purposes recognized under federal or state law. Such lands, except as noted below, are entitled to a federal reserved water right with a date of priority as of the date of each individual PWR.

1

2

3

5

6

.10

11

. 12

13

.15

16

17

28

70. The United States has and is also entitled to reserved water rights for public springs and water holes in amounts necessary to fulfill the purposes of the PWRs described in paragraph 78. above. The priority dates are the dates the lands were withdrawn from the public domain. These reserved rights include, but are not limited to, the following:

•	Executive Order 6/1/15 - PWR #29	Reserved Acres	Flow
	T. 9 N., R. 28 E., Sec. 17, SW1/4NW1/4, NW1/4SW1/4	80 ac.	I GPM
	T. 11 N., R. 28 E., Sec. 7, (unsurveyed)	125.60 ac.	1 GPM
	Executive Order 3/8/20 - PWR #70	Reserved Acres	- Flow
. :	T. 5 N., R. 28 E., Sec. 11, SW1/4NE1/4, SE1/4NW1/4	40 ac.	AII
	T. 5 N., R. 28 E., Sec. 30, N1/2 of lot 5	арргох. 25 ас.	All

The above two PWRs are now located on land administered by the U.S. Forest Service pursuant to the National Forests and Public Lands of Nevada Enhancement Act of 1988, Pub. L. No. 100-550, § 5, 102Stat. 2749, 16 U.S.C. § 460ccc-3 (1988).

18	Executive Order 4/17/26 - PWR #107	Reserved Acres	Flow
19.	T. 7 N., R. 28 E., Sec. 10, E1/2SE1/4	80 ac.	5 GPM
20	T. 7 N., R. 28 E., Sec. 11, NW1/4SW1/4	40 ac.	5 GPM
22	T. 7 N., R. 28 E., Sec. 15,		
23	NI/2NE1/4, SW1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, S1/2SW1/4	280 ac.	3 GPM
24	T. 7 N., R.28 E., Sec. 21, NE1/4	160 ac.	2 GPM
25	T. 7 N., R. 28E., Sec. 22,		
26	NW1/4NW1/4	40 ac.	2 GPM
27	T. 9 N., R. 28 E., Sec. 20, N1/2NE1/4	80 ac.	1 GPM

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 70 of 102

	1. 71. The United States has acquired and is therefore entitled to certain water rights which were					
. ,	2 previously adjudicated and decreed in the C-125 Walker River Decree. These lands were acquired by					
, ;	3 the United States and are identified as follows:					
	4 Legal Description Water Right Acres					
	5 SWI/4SEI/4, Sec. 14; NWI/4 NEI/4, SWI/4 NEI/4, NWI/4 160.00					
	6 SE1/4, Sec. 23, T 3 N, R 25 E (C-125. Assessment, Roll # 63, Card # 105750)					
	Part of Claim #210  SE1/4NE1/4, E1/2SE1/4, NE1/4  SW1/4, S1/2 SW1/4, Section 23;					
. 10	NEI/4NEI/4, NWI/4NWI/4, Sec. 26; SWI/4SWI/4, Section 20; NWI/4 NWI/4, Section 29, T 3 N R 25 R					
. 14	(C-12) Assessment Roll # 64 .Card # 105751)					
1.2	of the states and is also entitled to oparian water rights under California					
1.3	state law for riparian lands managed by the BLM. The priority date for lands which the United States					
. 14	has held continuously since taking title from Mexico under the Treaty of Guadalupe Hidalgo is					
15	February 2, 1848. In the case of acquired land, the priority date is the date the land was patented out					
16	of the public domain. The water is used for the purpose of sustaining the existing riparian vegetation					
. 17	and providing habitat for fish and wildlife. The above rights are appurtenant to the following stream					
18	reaches:					
19	Virginia Creek and tributaries					
20	Public Land T 3 N., R 25 E.: Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15					
21.	T 4 N, R 25 E: Sections 35, 34, 27, 26, 25					
23 23	Acquired land: T 3 N, R 25 E: Sections 21, 22, 23, 24, 25, 26, 27, 34, 35					
24	Clear Water Creek and tributaries					
25	Acquired Land T 3 N, R 25 E: Section 12; T 4 N, R 26 E: Section 33					
26.	T 3 N, R 26cE: Sections 5, 6, 7, 18					
27	Public Land T 3 N, R 25 E: Section 1, 12					
28						

## Case 3:73-cy-00127-MMD-WGC Document 1 Filed 12/23/08 Page 71 of 102

```
T4N, R25 E: Section 24
  1
                          भागनामा कर्ण हु महिन्द्रम् अस्ति क्षित्रकारम् स्थाम स्थापनाम् । स्थापना २० १०० ।
       T 4 N, R 26 E: Sections 31, 32, 34, 35, 30, 28, 27, 10, 14, 16, 19, 21, 22, 23
   2
       Aurora Canyon and tributaries - Rock Creek and other unnamed creeks
   3
       Public Land
       T4 N, R 25 E: Sections 1, 12, 10, 11
  5
       T 4 N. R 26 E: Sections 4, 3
  6
       T 5 N, R 25 E: Sections 35, 27, 26, 25, 24, 23, 14, 15, 12, 11, 10, 2
  .7
       T 5 N, R 26 E: Sections 31, 32, 33, 29, 22, 21, 20, 19, 18, 17, 7, 8
  8
       Rough Creek and tributaries
  9
       Public Land
       T4N, R26 E: Sections 1, 2, 3
 10
       T 4 N. R 27 E: Section 6
 11
       T 5 N, R.26 E: Sections 35, 34, 26, 25, 24, 23, 22, 12, 13, 14
 12
       T 5 N, R 26 E: Sections 12, 11, 10, 9, 1, 2, 3, 4
 13
       T 5 N. R 27 E: Sections 31, 32, 33, 30, 29, 28, 19, 20, 18, 17, 7, 8, 9, 6
 14
       T 6 N. R 26 E: Sections 32, 33, 34, 35, 36
 15
 16
       Including Portions of Bodic, Matastra and Rough Creeks that originate in California and flow into
       Nevada.
 17
       Bodie Creek tributaries
       T 4 N, R 26 E: Section 12
 18
       T 4 N, R 27 E: Sections 1, 2, 3, 4, 7, 8, 9, 10, 11,12, 15, 16 and 17
 19
       T 5 N, R 27 E: Sections 25, 26 and 35.
 20
      Green Creek
.21
       T 4 N, R 25 E: Section 33
      Topaz Lake Area
 22
 .
23
      Slinkard Creek and tributaries
      T 9 N, R 22 E: Sections 4, 5, 6, 7, 8, 9, 10, 11, 14, 18, 19, 22, 23, 26 and 30
24
 25
      Mail Creek and tributaries
      T 8 N, R 23 E: Sections 29, 31 and 32
26
      T 8 N, R 22 E: Sections 1, 12, 14, 23 and 26.
27
28
              73. The United States is also entitled to certain appropriative water rights, including rights
```

::,212

.27

28

(2) Declaring that the United States, on its own behalf and for the use and benefit of (3) Declaring that the defendants and counterdefendants have no right, title or other Respectfully submitted, **LOIS SCHIFFER** Assistant Attorney General United States Department of Justice Environment & Natural Resources Div.

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 73 of 102

£ KATHRYN E. LANDRETH 2 United States Attorney 100 West Liberty Street, Suite 600 Reno, Nevada 89501 3 Telephone: 702 784-5439 7 B ģ Hank Meshorer 10 11 12 13 14 15

16 17

. 18

19

·20

21 22

23

24

25

26

·27

28

tal artender

JOHNP. LANGE United States Department of Justice Environment & Natural Resources Division Indian Resources Section 999 18th Street, Suite 945 Denver, Colorado 80202 Telephone: 303 312-7312

Special Litigation Counsel
United States Department of Justice
Environment & Natural Resources Division P. O. Box 7397 Ben Franklin Station Washington, D.C. 20044-7397 Telephone: 202 616-9643

	•		
	1	CERTIFICATE O	
	. 2	I hereby certify that I have this <u>30/r</u> -day	of July 1997, served a true copy of the
	3	by placing same in the U.S. mails, postage prepare	
,	4	Shirley A. Smith, Esq. Asst. U. S. Attorney	Western Nevada Agency
• .	5	100 W. Liberty St., Suite 600 Reno, NV 89501-1930	Bureau of Indian Affairs 1677 Hot Springs Road
	6	Larry C. Reynolds, Esq.	Carson City, CA 89706
٠.	7	Deputy Attorney General State Engineer's Office	R. Michael Turnipseed, P.E. Division of Water Resources
- ,	8	123 West Nye Lane Carson City, NV 89710	State of Nevada 123 West Nye Lane
•	9	Jim Weishaupt	Carson City, NV 89710
•	10	Walker River Irrigation District P. O. Box 820	Scott McElroy Greene, Meyer & McElroy
٠.	11	Yerington, NV 89447	1007 Pearl Street, No. 220 Boulder, CO 80302
	12	James T. Markle State Water Res. Control Bd.	John Davis, Esq. Post Office Box 1646
·. ·	13	P.O. Box 100 Sacramento, CA 94814	Tonopah, NV 89049
•	14	John Kramer	Rodger Johnson Water Resources Control Bd.
	15	Department of Water Resources 1416 Ninth Street	State of California Post Office Box 2000
	16	Sacramento, CA 94814	Sacramento, CA 95810
	18	Kelly R. Chase Post Office Box 2800 Minden NW 80423	Roger Bezayiff Chief Dep. Water Commissioner
٠	19	Minden, NV 89423	U. S. Bd. Water Commissioners Post Office Box 853
	. #	Ross E. De Lipkau P. O. Box 2790	Yerington, NV 89447
	. 21	Reno, NV 89505	Linda A. Bowman, Esq. Bowman & Robinson
		Gary Stone 290 South Arlington	499 West Plumb Lane, Suite 4 Reno, NV 89509
		Reno, NV 90510	Mary Hackenbracht, Esq.
	1 1	Gordon H. DePaoli, Esq. Woodburn, Wedge & Jeppson	Department of Justice State of California
	<u> </u>	P. O. Box 2311 Reno, NV 89505	2101 Webster St., 12th Floor Oakland, CA 94612-3049
	· •	Richard R. Greenfield, Esq.	Marta Adams, Esq.
	- (1	Field Solicitor's Office	Deputy Attorney General State of Nevada
	20 1	Department of the Interior Two N. Central Ave., Suite 1130	Division of Water Resources 100 N. Carson Street

28 Phoenix, AZ 85004-2383

Marta Adams, Esq. Deputy Attorney General State of Nevada Division of Water Resources 100 N. Carson Street Carson City, Nevada 89701-4717

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 75 of 102

George N. Benesch, Esq. 1 210 Marsh Avenue, Suite 105 Post Office Box 3498 Reno, Nevada 89509 3 Matthew R. Campell, Esq. David E. Moser, Esq. 4 McCutchen, Doyle, Brown & Enerson 3 Embarcadero Center 5 San Francisco, CA 94111 6 Donald B. Gilbert, Esq. DeCuir & Somach, P.C. 400 Capitol Mall, Suite 1900 Sacramento, California 95814-4407 .8 Treva J. Hearne, Esq. 9 Zch, Polaha, Spoo & Hearne 450 Marsh Avenue 57 5 FOREST, SUITE 10 Reno, Nevada 89509 1**i** Robert C. Anderson and Timothy Lukas Hale, Lane, Peek, Dennison, Howard 12 Anderson & Pearl Post Office Box 3237 13 Reno, NV 89505 14 15 16 17 18 19. 20 21 22 23 24 25 26 27

2	V-00127-MMD-WGC Document 1 Scott B. McElroy Alico B. Walker Greeno, Meyor & McElroy, P.C.	
	Greeno, Mayor & McElroy, P.C. 1007 Pearl Street, Suits 220 Boulder, CO 80302	
3	303/442-2021	
4	Kelly R. Chase P.O. Box 2800	97
5	Minden, NV 89423 702/782-3099	
6		DISTRICT COURT
7	Attorneys for the WALKER RIVER PAIUTE TRIBE	
8	IN THE UNITED STATES	DISTRICT COURT
	FOR THE DISTRICT	OF NEVADA
9	UNITED STATES OF AMERICA,	) IN EQUITY NO. C-125-ECR ) Subproceeding C-125-B
10	Plaintiff,	) Supproceeding C-125-B
11	WALKER RIVER PAIUTE TRIBE,	) FIRST AMENDED
12		COUNTERCLAIM OR
13	Plaintiff-Intervenor,	THE WALKER RIVER PAIUTE TRIBE
14	vs.	)
15	WALKER RIVER IRRIGATION DISTRICT,	į
16	a corporation, et al.,	<i>Y</i>
17	Defendants,	}
18		}
19		<u> </u>
20		}
01		}
ZI		<b>(</b>
22		}
23		) )
24		
25		
26		
27	į (	
28	3	· 
	į	
-		The second section of the second section is a second section of the second section section is a second section of the second section s
. 11		

#### Case 3:7B-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 77 of 102

```
1
       Acciari, Dennis; Acciari, Linda; Acciari Ranch Supply, Inc.;
       Acosta, Alexis R; Acosta, Joe W; Adams, Gregory B; Adams,
  2
       Richard T: Ag Heritage Development; Aguiar, George B:
       Aguiar, Janiel M; Aiazzi, Cynthia J; Aiazzi, Estelle M; Aiazzi,
  3
       Gary R; Aiazzi, Pete A; Albee, Florence M; Albee, William E;
  4
       Albright, Samuel & Cheryle Family Trust Agreement:
       Aldridge, C Fred; Allen, Catherine M; Allen, Doris J; Allred,
  5
       Evan L; Alonzo, Rose M; Anaconda Minerals Co.; Anderson,
  6
       Brian D: Anker, Alton: Anker, Susan; Annett's Mono Village:
       Antelope Valley Mutual Water Co.: Arcularius, Lorna Trust
  7
       Agreement; Arimetco, Inc. (International); Armstrong Family
. 8
       Trust: Arrache 1990 Family Trust: Arrighi, Deborah F:
       Arrighi, Mark N; Arsenio Family Trust; Ash, Kimberly L;
  9
       Atlantic Richfield Co. [ARCO]: Atlaway, C & J Family Trust;
       Bacon, Milton E, Jr. 1992 Trust; Bacon, Milton E; Bakker,
10
      Douglas A: Bakker, Lora L: Balaam, Donald A; Balaam, Olga M;)
11
      Baptist 1999 Family Trust; Bar Keystone Ranch, a General
      Partnership; Barber, Harriet Revocable Trust; Bartlett, Linda
12
      Lodato: Batchelder, Josephine Shipley and Fred C 1983 Family
13
      Trust; Bath, Barbara C; Bath, Ronald J; Batjer, Cameron M
      Family Trust; Batjer, Christina; Batjer, Marybel; Bauer, Clyne
14
      P. Trust, 1995; Beach, Donna Costa; Beckius, Kathleen M;
15
      Bein, C Ellen; Bein, Richard H; Bell, Brian William; Bently
      Family Limited Partnership: Berrington, Gary M: Berrington,
16
      Susan P; Bitler, Ken & Peggy Family Trust; Blackford, Kathy S; )
17
      Blair, Ellen C: Blakely Family Living Trust; Blanchard 1988
      Living Trust; Blasco, James M; Blasco, James M Family
18
      Ltd. Partnership; Blasco, Pamela A; Bledsoe, Alan A; Bledsoe,
19
      Carol A: Bobrick, Ruth E: Bobrick, Thomas Trust; Bobzien,
      Dolores J; Bodenstein, Irene M; Bodenstein, J. Kirk; Boggs,
20
      Pamela S; Boggs, Williams S; Bohlin, Eleanor M; Bohlin,
21
      Vera J; Bohlin, William B; Bohlin, William L; Bolt, Billy F;
      Bolton, Charles V, III; Bolton, Kelly; Bolton-Rose Trust;
22
      Booth, Karen: Borsini, Dale: Borsini, Norma J: Borsini Ranch,
      Inc.; Botelho, Jacqulyn J; Botelho, William D; Bozsik,
23
      Albert S, Jr.; Bozsik, Olivia V; Bracken, Vincent S; Brackett,
24
      John J: Bradshaw, Leslie; Bradshaw, Pauline;
      Break-A-Heart, LLC; Brethauer, Clarence D; Brethauer, Janet R;)
25
      Bromley Family Trust; Brönneke, Samuel P Family Trust;
26
      Brown, Beverly E; Brown, Darrol J; Brown, Joel Wesley;
      Brown, Lois L; Brown, Norman D, Inc.; Brown, Ross;
27
      Brown, Sandra Gail; Bryan, Elizabeth J; Bryan, John L;
28
      Bryan, Vernon F, Inc.; Bunkowski, Terry L; Burchett, Joseph L; )
```

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 78 of 102

```
Burnett, Kenneth R; Burnett, Sharon L; Busch, Brett Alex;
         Bush, Jack E; Buster, David C; Buster, Gayle L; Butterly, Ellen; )
    1
         Buttler, Jeri; Bybee Richard E. and Ronee L. 2000 Revocable
    2
         Trust Agreement; Bye, Jean Leslie; C.E.A.S. Co., Inc.;
         Cabral, Joseph P & Norma J 2002 Revoc. Lvg. Trust Agreement; )
    3
         Caldwell, Charles S & Lura Batjer Trust; California Dept. of Fish)
    4
         & Game; Callaham, David D; Callaham, Sandra J; CalNeva
        Cattle Co.; Calvest Associates; Cantrall, Nolan and Nancy Family)
    5
        Trust Agreement; Capurro, Janice E Trust; Capurro, Robert S
    6
        & Suzanne Family Trust; Carey, Diane; Carey, John L; Carlin,
        Paul Kent; Carlin, Shelley; Carlini, Tod F Trust; Carlson,
   7
        Bill Eric & Sharon Marie Trust Agreement; Carlson, Bill Eric;
   8
        Carlson, Sharon Marie; Carpenter Living Trust; Carpenter
        Nevada, LLC; Carrasco, Elizabeth; Carrasco, Ray W; Casey,
   9
        Claudia C; Casey, Michael A; Cashell Investments, LLC;
  10
        Casino West, Inc.; Cavell, Richard J; Cefalu John N; Cefalu,
       Judith A; Centennial Livestock; Chase, Helen B; Chase, Irving
 11
       Maxon Living Trust; Chase, Russell E; Chevron Resources;
 12
       Chichester, Dwain; Chichester, et al.; Chichester Ranches;
       Chichester, Rhoda J; Chichester, Robert L., Jr.; Chichester,
 13
       Ross J; Chico, James V, Jr.; Chico, Jennifer; Chilcote,
       David G; Chisum, Inc.; Christensen 1989 Trust; Christof, Brian S.)
 14
       Cid, Elaine C; Circle Bar N Ranch, LLC; Circle Bar N Ranch,
 15
       A Nevada Partnership; Clark Family Trust; Clark, Donna K;
       Clark, Patricia D; Clements Family Trust; Cliff, Donald A;
 16
       Cliff, Norman E; Cline, Caroline K; Cline, Jack R; Clugage,
 17
       Keith Dean 1985 Trust; Collins, Judy; Compston Family 1982
       Trust; Compston Joint Revocable Inter Vios Trust; Congdon,
 18
       Peter F; Congdon, Stacy Loretz-; Cook, Gary; Cook, Margaret;
 19
       Cooper, John; Cooper, Robert; Costa, James P; Costa, Norma
      Annett; Costa Ranch, LP; Cox, Kim K.; Crandall, Susan Jill;
20
      Cremetti, William G Trust; Crosby, Fred; Crosby, Judy;
21
      Crystal Clear Water Co., Inc.; Cummings, Marvin O;
      Cummings, Milena; Curtis Family Trust; D & S L I, LLC;
22
      D & S Waste Removal, Inc.; Dane, Frank R; Dane, Susan M;
23
      Davis, Diana; Davis Family
      Trust; Davis, Garry E & Dianne M Family Trust; Day, Sandra K;)
24
      Day, Stephen R; Day's Desert Creek Ltd.; DeChambeau,
      Susannah W; Dechambeau, Scott I; Del Porto, Daniel E;
25
      Del Porto, Cherryl Ann; Del Porto, Julie A; Denton, Joseph W; )
26
      Denton, Linda M; Desert Lake Campground; Desert Pearl Farms;)
      Diehl Family 1999 Revocable Living Trust; Diekmann, Cynthia L)
27
      Diekmann Trust Agreement; Dinneen Family 1997 Trust;
28
      Dockum, Don M. & Cheryl F; Domenici, Joseph & Gladys
```

#### Case 3:73 cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 79 of 102

```
Family Trust; Domenici-Reese, Lona Marie; Donovan, Dwight;
       Donovan, Heather; Douglas County: Topaz Lake Park, Topaz
   1
       Ranch Estates Park, Topaz Ranch Estates GID; Douglas,
  2
       Debra A Draper-; Douglas, Steven M: Dressler, DeVere:
       Dressler, Milton; Dressler, Roxanne; Dressler, Tonia; Drever,
  3
       Joan; Dreyer, Roland; Dunn, Daniel D; Dykes Family Trust;
       E.L.W. Ranches, Inc.; Eaton, Joan C; Eaton, Kenneth A;
       Edwards, Shelley; Ehly, Desiree; Ehly, George; Ehrhart, Janice O;)
  5
       Ehrhart, Thomas A; Eller, Colby D; Eller, Julia C; )
  6
       Elordi, Deva; Emens, Annette M; Emens, Theodore A;
       Englert, Stephen; Estrada Family Trust; Evangelista, Gerardo;
  7
       Evangelista, Laurie; Everett, Virginia M; Ewert Family 1995
       Trust; F & B Trust; F.I.M. Corporation; Fairbanks, Robert
       L. [Duffer]; Fannin, Glenn D; Fannin, Tracey L; Faria, Edwin F;)
  9
       Faria, Marty L; Farias, Carmen; Farias, Harold W; Farias, LLC; )
 10
       Farias Wheel Ranch, Inc.:
       Fawcett, Lawrence Edward; Fenili, Peter A; Fenili, Veronica Jean)
 11
       Fesko Family Trust; Fine, James Samuel; Fine, Jill Marie:
 12
       First Union National Bank; Fitzpatrick, Debra; Fitzpatrick, Ted; )
       Five (5) C's Cottonwood Ranch, LLC; Fleck, Brenda L:
13
       Fleck, Dewey A; Fletcher, Marie L; Fletcher, Michael S;
14
       Fletcher, Ruth; Fletcher, Teri L; Fletcher, Wesley L; Floyd, Betty)
       Floyd, Frank; Flying A Ranch, a Nevada Limited Partnership;
15
       Flying A Limited Partnership; Forrester, Pamela A; Forrester,
       Wendell B; Foss, Thomas A; Four G Corporation; Fousekis.
16
       James; Fousekis, Susana; Frade Ranch, Inc.; Franklin, Carl;
17
       Franklin, D Camille; Fraser, Betty; Fraser Family Trust;
       Fraser, George; Freitas, Barbara L; Freitas, Elizabeth; Freitas,
18
       Maurice H; Frey, Kerry M; Friedhoff, George W, Jr.:
19
      Friedhoff Helen; Fry, Deborah; Fry, Jill Christine; Fry, Michael; )
      Fry, Paul J III; Fulstone, David H Co.; Fulstone, F. M., Inc.;
20
      Fulstone, James H; Fulstone, R. N. Co.; Fulstone, Steven A
21
       1989 Trust; Funk Trust; G Lazy B Partnership; Gable, Don Ray; )
      Gansberg, Chris H, Jr.; Gansberg, Faye E; Garcia, Jeffrey M;
22
      Garcia, Kealoha; Garms Estate; Garms, Gary J.
23
      .& Toni J. Revocable Community Property Trust;
      Garrett, Robert A; Gattuso, Kim I; Gerbig, Arden; Gerbig,
24
      Evilo J; Gerrard, John R Trust; Gill, Joseph P; Giodo, Joseph
      A Revocable Trust; Giorgi, Donald; Giorgi, Lynda Hunewill;
25
      Giorgi, Ugo & Florence A Family Trust; Gisler, Otto A Trust;
26
      Glasner, Grover F; Glass, Daniel G; Glass, Patricia J;
27
      Glassburn, Ted; Glassburn Theresa; Gleason, James G:
      Gleason, Marla D; Glock, Audrey; Glock, Ernest; Godde,
28
      Forest G. Trust; Goffinet, Cheryl L; Goffinet, Lonnie K;
```

#### Case 3:7\$-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 80 of 102

```
Good Deed, LLC; Gordon Revocable Trust; Goss, Ronald W;
  1
       Goss, Sandra A; Graham, Gene G; Graham, Margaret F;
       Granata, Helen C Estate; Gray, Mary Family Trust Agreement:
  2
       Grayot, Margaret R; Greenfield Mobile Home Park, NV LLC:
  3
       Greggersen, Marlene J; Greggersen, Paul A; Gregory Family
       Trust; Groso, Angelo; Groso, David; Groso, Ernest &
  4
       Maxine Jo 2000 Family Trust; Groso, Nancy;
  5
       Guild, Rolene Pitt Living Trust;
       Gutierrez, Teresa M; Guy, Willis H; Haas, Pamela J;
  6
       Hall, Craig & Kris J Family Revocable Living Trust;
      Hall Family Trust Agreement; Hall, Herbert; Hall, Rachele M:
  7
      Hammack, Raymond B; Hammack, Sonya: Hammond, Judith
  8
      Revocable Living Trust; Hanks, Lawrence G; Hanson, Leona;
      Hardrock Mining Co.; Hardy, Karen Lund; Hargus, John and
  9
      Blinn, Adah M. Trust; Harig, Laurie A: Harrison, Ben &
10
      Linda Trust; Harrison, John W; Harrison, Sandra L; Hawhee,
      Dianne P; Hawhee, William L; Hawkins, Margaret; Hawkins,
11
      Terry; Hawkins, Patricia L, MD; Hawthorne, Town of;
12
      Hawthorne Utilities; Hawthorne Water System; Hayes, Deborah A:)
      Hayes, Jonathan C; Hefner, Marcia E; Hefner, Tommy M;
13
      Heimerman, John/Leona Family Trust; Helmuth, George;
14
      Helmuth, Pamela; Hemsath, Richard Scott; Henderson, Robert B:)
      Henderson, Rose M; Henker Family Trust Agreement;
15
      Hernandez, Audelia: Hernandez, Isidro V; Hervin, Kurt W;
      Hervin, Patricia: Hervin, Reiko: Hill, B Roxann: Hill, Jon A:
16
      Hilton Family Trust; Hiskett, Carl William; Hiskett, Phyllis Ann; )
17
      Hitchcock, Cindy L; Hitchcock, Gerald; Holbrook, Constance Y:
      Holbrook, Richard H Sr.; Holbrook, Richard H & Constance Y
18
      Trust; Holbrook Station RV and Mobile Home Park;
19
      Holmes, Doris Trust; Homestretch Geothermal, LLC;
      Huggans, Jan K; Hume, Jayne E; Hume, Michael T; Hunewill
20
      Enterprises, LLC; Hunewill, Harvey E & Phyllis P Trust:
21
      Hunewill, Janet Bliss; Hunewill Land & Livestock Co.;
      Hunewill, Phyllis; Hunewill, Stanley L; Huntley, Mark A;
22
      Hutchins, Karen; Hutchins, Leland; Hutchison Family Revocable)
23
      Living Trust; Huuha, Paul A; Hyne, Frances L; Hyne, Marshall; )
      Ingerson, Larry; Ingerson, Trudy; Ireland, Mariann; Ireland.
24
      Ward W; Ithurburu, John; Ithurburu, Marilyn; Jacobus,
25
      Samantha S; Jakobson Investment Corp.; Jason Corporation;
      Jenkins, Joyce; Jenkins, Larry D; Jensen, Chris; Jensen, Jack E;
26
      Jensen, MO; Jesch Family Trust; Johnson, Joseph W; Jones.
      Casey M; Jones, Mary C; Jones Family Foundation, Inc.:
27
      Julian, Jay & Darlene Family Trust; Jurica, Mary E; K & K
                                                                    )
28
      Water, Inc.; Kahn Family Trust of 1993; Kelley, Dr. Donald;
```

#### Case 3:78-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 81 of 102

```
Kennedy, Dale & Cleo Family Trust; King, James Allen;
  1
       King, Judith R; Knoche, Anne Tweet; Knoche, Craig F;
       Kottke Living Trust; Kraft Family Trust; Kraft, Kevin;
  2
       Kyler, LaJune F; L & M Family Limited Partnership;
       Lamoreaux, Frances Trust; Landolt, Beverly J; Landolt, Joseph G;)
  3
       Landolt, Joseph G & Beverly J. Trust; Languer, Donald H;
  4
       Languer, Lorraine; Languer Family Trust; Lantana Ranch Family )
       Limited Partnership; Lapham, Joanna M; Lapham, Willis H;
  5
       Lawson, Nettie E; Lawson, Ronnie D, Sr.; Lazy S Lodge;
  6
       Lee Ivey Ranch, Inc.; Lee, James; Lee, Linda P; Lee, Thomas W; )
       Lee, Wallace J; Lehmer, Debra S; Lehmer, Steven M;
  7
       Leinassar, Alan S: Leinassar, Marianne; Lekumberry
  8
       Family 2001 Trust; Leland, Anne M; Leland, Britt M;
       Lewis, Rob Edward; Ligtenberg Family Trust; Lind,
  9
       Craig R; Lind, Sandra; Linscott, Mariorie M.:
 10
       Linsenmier Jack L; Linsenmier, Wilma H;
       Little, David M Family Trust Agreement; Little, Bonnie:
 11
       Little, David Jr.; Lloyd, Thomas L; Loll, Daniel T; Loll, Harry S; )
12
       Loll, John C; Loll, Margaret M; Loll, Phillip G; Loll, Raymond C; )
       Lommori Family Trust; Lommori, Joseph J and Bessie J Trust:
13
       Lommori, Julio & Delia
14
       Family Trust; Lommori, Karen I; Lommori, Kenny D;
       Lommori, Natale, Jr.; Lommori, Scott D & .
15
       Leslie Family Trust; Ludel, Donna Lee; Ludel, Samuel Moses;
16
       Lund, Hans N & Marie N Trust; Lyon County School District:
       Lyon County Courthouse; Lyon County Public Works;
17
       Lyon County, Elm Tree Cemetery; Lyon, County of; Lyon County)
       Fairgrounds; Lyon County Cemetery II; Mabe, James A;
18
      Mabe, Sandra R; MacBride, John; MacBride, Pam A;
19
      Madden Family Trust; Madden, Gerald; Madden, Lois;
      Magee, Ruth J Revocable Trust; Mahan, Mark S; Malck, John:
20
      Manha, Lorraine N; Manha, William D; Mann, Charles F;
21
      Mann, Luetta A; Marraccini, Darrell; Marraccini, Lisa;
      Marriott, Jack D; Marriott, Jane C; Marriott, Larry W;
22
      Marriott, Lonnie E; Marriott Nancy; Marriott, Sandra J:
23
      Marriott, Sandra K; Masini, Carroll G & Maria O Trust;
      Masini Investments; Masini, Lawrence B; Mason Valley
24
      Loyal Order of Moose; Masterson 2000 Trust; Mathas, John A;
25
      Mathas, Nancy J: Mathewson.
      Charles N. Trust; Mattice, Crystal Lindsey; Mattice, Duane;
26
      Mattice, James L; Mattice, Mary L; Mattice, Dena L; Mattice,
27
      John E; Mayne, Georganna P; Mayne, Larry A;
      McBee, Cheryl E; McBee, Michael P; McCargar,
28
      Doris: McCargar, Edward James, Jr.: McClain, Terry Lee:
```

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 82 of 102

```
McClain, William T; McCoy, Cheryl; McCoy, Lee A Jr.:
   1
        McNamara, Carolyn K; McNamara,
        Roger B; McWhirter, Mildred K Estate;
   2
        Menesini, Cynthia L [Mrs. Donald]; Menesini,
   3
        Cynthia L [Mrs. Ronald]; Menesini, Donald G; Menesini,
        Edward L: Menesini, Grace; Menesini, Kristie L: Menesini,
   4
        Orlando; Menesini, Ronald D; Menesini, Randy Ellis:
        Menesini, Reema Marie; Merrill, Bradford C; Merrill, Lana
   5
        Galyean; Merritt, David L; Merritt, Teresa C: Merriwether,
   б
        Sherri A; Merriwether, William A; MICA Farms, LLC;
        Miller, Christie A; Miller, Dennis R; Miller, Edmund;
   7
        Miller, John M; Miller, Linda; Miller, Robert J, Jr.;
  8
       Mineral County Commissioners; Mineral County School District; )
       Mineral County; Mitchell, Ginger; Mitchell, Ronald; Moline,
  9
       David; Moline, Laura; Mono County; Montgomery, Mary Louise;)
 10
       Moore, Harold; Moore, Harold Trust; Moore, Micki J;
       Moore, Rosetta M; Moore, Steven H; Moreda, Clarence J Family )
 11
       Trust Agreement; Moreda Dairy; Morgan Family 1996 Trust;
 12
       Morose, Dan C; Morose, Tara L; Moss, Jimmy A; Motley
       Living Trust [12/23/70]; Motley, Patricia A; Motley, Philippa;
 13
       Motley, Robert III; Muir, Marjorie R; Muir, Thomas K;
 14
       Munson, Dolores N; Nagel, Robert R; Nagel, Shirley J;
       Nannini, Anna Revocable Trust
 15
       Neibauer, John J; Neibauer, Winifred A; Nesmith
       Family Trust Agreement; Neuhauser, Geneva Ruth; Neuhauser,
 16
       Larry D; State of Nevada (Nevada Dept of Transportation:
17
       Nevada Div. of Wildlife); Nevada-Utah Assoc of Seventh Day
       Adventists; Nevin, Melba; Nichols, William H; Nuti Brothers;
18
      Nuti, Cynthia; Nuti, Lawrence M; Nuti, Leslie J; Nuti, Mary E;
19
      Nuti, Mary R; Nuti, Michael A; Nuti, Nancy J; Nuti, Ralph E;
      Nuti, Ralph C; Nuti Richard B; O'Banion, James R;
20
      O'Sullivan Plastics Corp.; Osborne, Drew A; Osborne, Genevia L;)
21
      Osborne, Roy E; Oxsen Enterprises, LLC; P & V Wilkinson
      Family Trust; Page, Jeffrey A; Page, Marilee J; Palmer, Alfred W; )
22
      Palmer, Joy L; Park, David Wallace; Park, Mary Kathleen;
23
      Park, W B & Sons, LLC; Parraguire, David Estate; Patterson.
      Jana L; Patterson, Robert M; Peavine Leasing, LLC;
24
      Pederson, Alenzo; Peel, Michael W; Peeples, Deann; Peeples,
25
      Frank T; Penrose G.I.D.; Peri & Peri; Peri & Sons Farms, Inc.;
      Peri, David J & Pamel A Family Trust Agreement; Peri, David J;
26
      Peri, James J., Jr. [Butch]; Perrin, Clarence H Testamentary Trust; )
27
      Perrin Dynasty Trust; Perrin Trust; Perry, Randolph E;
      Perry, Victor A; Perumean, Mary Ann; Perumean, Pete Jr.;
28
      Perumean, Phillip; Peters, Glen & Darlene Living Trust;
```

#### Case 3:73-¢v-00127-MMD-WGC Document 1 Filed 12/23/08 Page 83 of 102

```
Peterson, Jeffrey; Peterson, Marion W; Peterson, Sheri;
        Pinenut Ranch Corporation; Pitchfork Ranch, Inc.; Plattner,
   1
        Nancy Jo; Plett, Pauline; Plett, Walter; Poli, Nancy;
   2
        Polizzi, Carmen Apodaca-; Polizzi, Robert J; Poulsen,
   3
        Gayle S [Herman]; Prouty, Wayne M & Debra Lynn Revocable
        Living Trust; Pruett Ranches, Inc.; Pumpkin Hollow Farms, Inc.;
   4
        Purrell, James E; Purrell, Karen M; Pursel, Delbert;
        Pursel Farms; Pursel, James; Pursel, Melvin E 1998 Trust;
   5
        Pursel, Norma; Pursel, Norman; Pursel Ranch, a Partnership;
   6
        Pursel, Vicki; Quilici, Basil & Pauline Leveille Revocable
       Living Trust; Quilici, James D; Quilici, Kathrynn A;
   7
       Ouiroga, Carlos G & Ofelia R Revocable Trust; Quiroga,
  . 8
       Guadalupe V; Quiroga, Hector; Rader, Krys; Rader, Scott D;
       Raisbeck, Nancy L; Raisbeck, Peter D; Rasmussen, Kathleen;
       Rasmussen, Steven; Reams, Christopher; Reams, Denise;
 10
       Regan, Ruby C Trust; Reich, Diana; Reich, Martin;
       Renegade Corporation; Renner, Thomas R; Renner, Tosca M;
 11
       Reviglio, Thomas; Rhea, Dale; Richardson, Elizabeth;
 12
       Richardson, James; Rife, Deborah K; Rife, Jeffrey J; Rinasz,
       Myron M; Ritter Family Trust;
                                       Ritter, John Gustave, III;
 13
       Roach, Heidi D. and Roy B. 2002 Trust; Roach, Ruby;
 14
       Roberts, Larry W; Roberts, Mary A; Robertson, Elmer C;
       Robertson, Geneva K; Robinson, Helen; Roderick, Douglas
 15
       Ray & S Joann Living Trust; Roderick, Douglas Ray;
       Roderick, S Joann; Rogers, Carole J; Rogers, Jeffrey A;
16
       Rogers, Ralph S; Rogers, Sharon M; Rolston, Kenneth J;
17
       Rolston, Linda; Romero Family Trust; Roots, David H:
       Roots, Kathleen A; Rosaschi, Andrew Gene; Rosaschi, Angelo J;)
18
       Rosaschi, Lester & Connie Family Trust Agreement;
19
       Rosaschi, Romeo Jr., Inc.; Rosaschi, Stanley Thomas Estate;
       Rosse, Debra D; Rosse, Jerry R; Rowe, Lillian Baker-;
20
      Rowe, Thomas M; Rubert, Lotus R; Rubert, Peggy J;
21
      Rudd, Marie J; Runnerstrom, Rheta M; Runnerstrom, Warren G;
      Rupe Family Trust Agreement; Rye, Cherie C; Rye, Stephen B;
22
      Sandoval Albert R; Sandoval, Cecelia L; Sans, Paul P;
23
      Sans, Sandra Jo; Santos, Christena M; Santos, Paul J;
      Sario Livestock; Savage, Keith A; Savage, Virginia; Sayce,
24
      Michael R & Shannon L; Scatena, Louis V; Sceirine, Beverley;
      Sceirine, David A; Sceirine Fredericks Ranch; Sceirine, Herbert;
25
      Sceirine, Herbert L & Susan L Revocable Trust; Sceirine,
26
      Joseph E; Sceirine, Susan L; Schendel, Madge E; Schendel,
27
      Robert J; Schirmeister Lisa A; Schram, Madeline; Schrock,
      H. Jean Survivors Trust; Schurz Elementary; Schuster, Donna R
28
      Family Trust; Sciarani, Arnold Jr. & Pauline Trust Agreement;
```

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 84 of 102

```
Sciarani, Donna; Sciarani, Eugo Trust Agreement; Sciarani
         Family Trust; Sciarani, James; Sciarani, John Trust Agreement;
     1
         Sciarani, John; Sciarani, Linda Ann; Sciarani, Paul; Sciotto,
    2
         Arthur P; Sciotto, Cortland O; Sciotto, Frank T; Scribner, Cynthia;)
         Scribner, Vance C; Seibold, Belinda A; Seifert, Judy A;
    3
         Seifert, Stanley D; Sepulveda, Mariana; Settelmeyer Ranches, Inc.; )
    4
         Seubert Family Limited Partnership; Sharkey, Mike &
         Carol Family Trust; Sheerin, Christopher; Sheerin, Keri A;
    5
         Shehady, Daniel P; Shehady, Donald & Teresa Trust; Sherlock,
    6
         Michael C; Shively, E Duane & Russelle B 1991 Revocable Trust; )
         Shoemaker, Janice; Shoemaker, Janice K Trust Agreement;
    7
        Sierra Pacific Power Company; Silva, Edward B; Silva, Gary Sr.;
    8
        Silverado, Inc.; Simmons, Leia H; Simmons, Patricia;
        Simmons, Stanley C; Simpson, Allan R; Six N Ranch, Inc.;
   9
        Sjolin, Eunice; Skinner, Albert Carlos LLC; Smith Ann M;
  10
        Smith, Daniel G; Smith, Diana Lee; Smith, Ermon Wilson &
        Mary Lee Family Trust; Smith, Eva L; Smith, Gaila M;
  11
        Smith, Grant B; Smith, Harry E; Smith, Indra; Smith Living
  12
        Trust; Smith, Mark A & Irene B Family Trust; Smith, Michael A;)
        Smith, Patricia Ann; Smith Ranch Partnership; Smith, Shawna S;)
  13
        Smith Valley Cattle Feeders; Smith Valley Baptist Church;
        Smith Valley Park & Recreation Board; Smith, Wesley &
 14
       Beverly Trust; Smith, Angela M; Smith, Diane L; Smith, Scott M;)
 15
       Snook, Jean T; Snyder, Eddie R & Theresa Trust; Snyder, Frances, )
       Snyder Livestock Co., Inc.; Snyder, Lucy A; Soderstrom, Dave Jr.;)
 16
       Soderstrom, Joan; Soilfume, Inc.; Sommer, Betty J; Sommer,
 17
       Leo H; Souza, Julie M; Spence 1990 Family Trust; Spinuzzi,
       Peter J Jr.; Spinuzzi, Theresa D; Spradlin, Everett J;
 18
       Spradlin, N Jeannie; Sprague, Leland; Stacey, Kristine A;
 19
       Stacey, Roc A; Stanley, John D; Stanley, Marlyse R;
       Stanton, Christy DeLong; Stanton, Kirk Andrew; Stark, Glenn M;)
 20
       Stauffer, Keith H; Stauffer, Patricia L; Steele, Charles R;
21
       Steele, Karen R; Steven & Susan Bohner
       Family Trust; Stevens, Judie A; Stevens, Michael D;
22
       Stevenson, Daniel R; Stevenson, Sharon; Stewart, Eileen F;
23
      Stewart, Kim & Kathleen Family Trust Agreement; Stillfield,
      Donna J; Stitt, John & Julia Living Trust; Stockton, Edward;
24
      Stockton, Linda A; Stoneburner, Viola; Stout, Jack F;
      Stout, Nancy; Stovall, Judith Lee; Strong, Charles; Strosnider
25
      Family Trust; Strosnider, Inc.; Strudwick Living Trust;
26
      Sturge Family 2001 Trust; Sturtevant, Helen M; Sullivan,
      Kevin Patrick; Sundance Feedlot; Sunrise Ranch, LLC;
27
      Sutter Ranch Corporation; Swainston, George W; Swainston,
28
      Harry W; Swainston, John W; Swenson, Michelle T;
```

#### Case 3:73 cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 85 of 102

```
Swenson, Timothy D' Taliaferro, Daniel R; Taliaferro, Jill K:
  1
       Tamagni Janice E; Tamagni, Raymond E Family Trusts:
       Taylor, Dola F; Taylor, Lloyd T; Tazaki, Musaschi Taka:
  2
       Terry, Denise L; Terry, Sean C; Terschluse Family Trust;
  3
       Thacher, Caroline H; Thacher, John H; Tholke, Rachel Smith
       Trust; Thom, Douglas; Thom, May; Thomas, Ami; Thomas,
  4
       Katherine L; Thomas, Terry A; Thomas, Tracy Glaze;
       Thompson Family Trust; Tibbals, Carol Joyce; Tibbals, Don H;
  5
       Tibbals Family Trust Agreement; Tibbals, Joseph William;
  6
       Tijsseling, Dick G; Tijsseling, Judith A; Tilley, Jerry E Trust;
       Tiscareno, Anne M; Tiscareno, Carlos J; Titus, Robin L;
  7
       Tomac, Laura; Tomac, Steven; Topaz Lake Water, Inc.;
  8
       Topaz Lodge, Inc.; Treasure, Malcolm; Treasure, Michelle R;
       Turf Company, LLC; Turner, Dolores V; Turner, Howard D;
  9
       Turner, Joan C; Turner, Ross D; Turria, Linda R Trust Agreement;)
10
       Turria, Linda; Turria, Randy; Twelves Family Partnership, LLC:
       Twin Properties, LLC; United States Forest Service;
11
       Vandebrake, Debra A; Vandebrake
12
       Jerry L; Vaughan, Julie M; Vaughan, Richard D; Vawter
       Tierney Living Trust; Veil, Kelly A; Veil, Timothy C;
13
       Verdugo, Juan; Verdugo, Maria; VGR Limited Partnership;
14
       Vick, David W; Vick, Shelly; Villa,
      Alan N; Villa, Shirley J; Virdin, Virginia Sue; Virdin, William
15
      Michael; Vogel, Bruce G; Vogel Family Trust; Vorhies.
      Victoria E; Vorhies, William L Jr.; W and L Trust; Walker,
16
      Walker Lake Water District;
17
      Walker Lake Working Group, Inc.; Walker Lake Apartments;
      Walker River Land Corporation; Walker River Ranch Limited
18
      Partnership; Walker River Irrigation District; Walsh, Janine Y;
19
      Walsh, Stephen L; Warburton Family Trust; Ward, Lauren;
      Ward, Mary Margaret; Warr, David T; Warr, John;
20
      Wass Investments, A Nevada Limited Partnership; Wasser, Debi I; )
21
      Wasser, Robert E, Jr.; Weaver Properties, LLC; Weaver, John R
      & Lura K Family Trust; Weed Heights Development: Weiser
22
      Living Trust; Wells Fargo Home Mortgage, Inc.; West, Regina
23
      Rae: Wheat, Robin; Wheeler, Earnest C; White, Douglas M;
      White, Julie Ann; Whitney, John W; Whittier Trust Co.,
24
      TTEE for George L'Abbe: Wiegand Resources, Inc.:
25
      Wiggins, Alice S; Wilder, Joan; Wilens Family Trust;
      Wilkinson, Philip; Wilkinson, Vivien; Williams, John Leonard;
26
      Williams, Joni Fay; Williams, Phillip A; Williford, Michael C:
27
      Williford, Virginia M; Willis, Marlene D; Willis, Randall D;
      Willowcreek G.I.D.; Wipfli, Candyce; Wipfli, Tom;
28
      Wright Living Trust; Wright, Mary M; Wright, Sandra L;
```

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 86 of 102

```
Wright, Weston L; Yeager, Eloise; Yeager, F Kirk;
   1
        Yerington Associates; Yerington Church of Christ;
        Yerington, City of; Yerington Public Utilities:
   2
        Yerington Water Co.; Zieman, Gene G:
        Zlendick, Don R; Zlendick, Gayle K; Zwart, John J;
   3
        Zwart, Veronica L.
   4
        Abilla, Vicki Lynn; Acme Leasing, LLC; Airoso, Joseph M, Sr.;
   5
        Ammons, James T.; Anderson,
   6
        Royce W. Family Trust; Artesani Family Trust; Ayres, Harriet E.;)
        Bartels, Gladys; Bartels, William J., Sr.; Bawden, J. F.; Bemis,
   7
        Jack L; Bergstrom, Cynthia K.; Bergstrom, Raymond D.;
   8
       Berry, Matthew P.; Berry, Yvette R.; Borealis Mining Company; )
        Brandstetter Family Trust u/d/t 10-20-2004; Brueggemann, Bruce; )
  .9
        Brueggemann, Sherilyn E.; Bryan, Nikki A.; Bryan, Richard H.;
 10
       Butler, Gary R.; Butler, Theresa A.; Chidwick, Norma Jean Trust;)
       Chilton, Michael J.; Clemens Family Trust;
 11
       Cochran, Donald R.; Cochran, Susan J.;
 12
       Cook, Gilbert E.; Cook, Linda L.; Copper Hills Bible Church,
       Inc.; Cotè, Carol R.; Cotè, Louis J.; Crist, Arlien R.; Crist,
 13
       Charles J.; Davenport, John H.; Davenport, Susan (Ammons);
 14
       Day, Julie; Day, Kelli A; Day, Robert H., Jr.; Debrick, Verna N.; )
       Dinsmore Family Trust; Draper, Steven M.; Dunham, Arliss D.;
 15
       Dunham, Eileen A.; Easterby, Carmaletta; Easterby, David D.;
 16
       Eierman, Conrad R.; Faiferek, Lee Ann; Faiferek, Roland;
       Faretto, Michael 1996 Family Trust; Fielding, Shirley A.;
17
       Fietta, Patricia; Fulstone, Ed; Fulstone, Fred, Jr.; Gagne, John L.;)
       Gagne, Monica V.; Garms, Gary; Garms, Toni; Garmsland
18
       Limited; Giacomini, Carole A.; Giacomini, Joseph T.; Giorgi,
19
       Ugo, Jr.; GR8DEAL, LLC; Gregoris, Michel; Gregoris, Yvette P.; )
       Guild, Clark J., III; Guild, Catherine L.; Gussenhoven, Joyce L.;
20
       Hanson, Gary & Beverly Trust; Harris, Mark Alan;
21
      Harris, Valeria; Haskins,
      Carrol Richard & Alice June Joint Living Trust; Hawkins,
22
      Patricia L., MD; Hayden, Leland D.; Helm, Connie Parkinson-;
23
      Helm, Daniel B.; Hern, Carla Sue; Hern, Michael J; Herner,
      Elizabeth A.; Herner, James P.; Hunewill,
24
      Frank E.; Hunewill, Randi Jo; Huntsberger, Linda M.;
25
      Huntsberger, Richard C.; Jackson, Robert E.; Johns, Debra L.;
      Johns, Michael P.; Johnson, Richard D.; Johnson, Sharlene M.;
26
      Johnston, Carol A.; Johnston, John; Jones, Arthur L., Jr.;
27
      Jones, Barbara A. and Arthur L., Sr. Trust; Jones, Debra L.;
      Keegan, James; Kelly, Quirt; Kirk, Donna B.; LaFleur, Debra C.;
28
      LaFleur, Gary P.; Lemaitre, George E.; Lemos, C. JoEllen;
```

## Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 87 of 102

```
Lemos, Danny; Lemos, Milton J.; Lindberg, Donald H., Sr.;
      Lindberg, Janice M.; Lockwood, Melvin L.; Lockwood,
 1
      Sylvia M.; Lombard, Michael; Lombard, Shelley;
 2
      MacKenzie, Lee Ann; Maddock, Douglas W.; Maddock,
      Stacey L.; Martin, Cheryl Lynne Revocable Living Trust;
 3
      Masini, Lawrence C. Ranch; Mathis, Joe Robinson and
 4
      Eleanor Margherite Trust; McCormick, Hilda T.; McCormick,
      Robert J.; McMinn Family Trust; Megenity, Patricia Sue;
 5
      Melton, Mattie J.;
 6
      Miller, Mary Ann; Morehouse, Linda;
      Morehouse, Wayne; Muniain, Mary K.; Muniain, Raymond O.;
 7
      Myers, Francine; Myers, Travis; Nevada Onion, Inc.; Noles
 8
      Trust dated 11/08/89; O'Banion, Todd J.; Oxsen, Nancy;
      Oxsen, Peter; Pellegrini, Debra I.; Pellegrini, Steven W.; Perrin,
      Frances L.; Peters, Darlene F.; Peters, Glen A.; Petersen,
      Martin W.; Petersen, Norma D.; Price, Charles R.; Proud,
10
      Andrew S.; Proud, Wendy E.; RGGS Land & Minerals, Ltd., LP; )
11
      Ragan, Leslie A.; Ragan, Steven H.; Ralston, Richard M., Jr.;
      Rauber, William S. & Inlow, Patricia A. Trust; Renner, Donald W.;)
12
      Renner, LaShele M.; Rightway Investments Smith Valley, LLC;
13
      Rink, Ruth E. 2002 Trust; Ritter, John G., Jr.; Ritter, Lucille C.;
      Roark, Gladys R.; Michael G. & Paula L. Rosaschi Trust;
14
      Ruf, Kyle A.; Ruf, Ross C.
15
      Allen, Judy B; Allen, Roger; Ambrosia, Elaine L; Antonelli,
16
      Adriane J; Antonelli, Robert E; Aquila, Anthony; Aquila, Shelly; )
17
      Aquila, Teresa; Ashdown, Darlene M; Awbrey, Connie M;
      Awbrey, James M; Babcock, Geraldine; Babcock, Richard E;
18
      Bales, Nona K; Bales, Richard B; Baptist, Joseph M; Baptist.
      Wendy R; Bartels, Kimberly A; Bartels, Rick S; Batting,
19
      Jennifer Lee; Beronio Family 1995 Trust; Berryhill, Nita M;
20
      Bertolin, Bruce H; Bertolin, Judith N; Bloise, George Nickolas;
      Boyd, Betsy J; Boyd, John L; Boydston, Kimberlee L; Boydston,
21
      Monte F; Bradley, Kay M; Brewer, Robert & Doris Trust;
22
      Brewer, Robert C; Brewer, Sandra L; Brondel, Karen D;
      Brondel, Kathy L; Brown Joint Living Trust; Brown,
23
      Kristine L; Brown, Oswald A; Brown, Sandra; Buchanan, Betty;
24
      Buell, Betty Sue Trust Agreement; Buell, Frank M Trust
      Agreement; Buettner, Madeline K; Buettner, Wilhelm F;
25
      Buford, Rick A; Buford, Vel; Bukoskey, John J; Bukoskey,
26
      Linda S; Bull Family Trust; Burr, Dianne Borsini Trust; Cairns,
      Richard J; Capurro, Cindy; Capurro, Michael L; Cartwright,
27
      Joan E; Cartwright, Roxanne Jones-; Cartwright, Tommy W;
28
      Chambers, Robert M; Cirone, Allen W; Cirone, Amanda J;
```

# Case 3:73 cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 88 of 102

```
Clay, Susan A; Converse, Cris; Cook 1994 Revocable Living
   1
        Trust:
        Cooper, Kevin D; Cornish, Diane L; Crabtree, Antoinette Damon;)
   2
        Crabtree, Philip W; Criqui, Peter C; Daugherty, Michael;
        Daugherty, Susan C; Davis, Carol A; DeVolld, Zoe A; Dobosh, ).
   3
        Betty M; Dobosh, Michael D, Sr.; Ellington-Peyerl, Andrea;
   4
        Elliott.
        Patricia A; Elliott, Robert L; Elmer, Margaret D; Elmer,
   5
        Richard G; Emery, Steven M; Emery, Terri L; Fabian, Norman R;)
   6
        Fell, Bud S; Flood,
        Michael P; Foley, Peggy; Foley, Richard; Foley Trust dated
  7
        04/05/04; Garcia, Carmen;
   8
        Garcia, Rogelio M; George, Betti June; George, Carl S, Sr.;
        Giannotta, Lori Linn; Giannotta, Robert Paul; Gideon, Jerry;
  9
        Gideon, Laverne; Gilmore, Debra A; Gilmore, Patrick A;
 10
       Giomi, Joseph E Family Trust; Giraud, Louis J; Giraud, Marie
        Goodwill, Becky; Goodwill, Richard K; Gordon, Kathleen J;
 11
       Gordon, Robert B; Greene, Vincent N; Gregoris, Gerard;
 12
       Gregoris, Loranne; Gregory, Eric C; Griffin, Floyd W; Griffin,
       Heidi A Hess-; Griffin, Martha Ann; Grosvenor, Elaine L;
 13
       Gullett, Eva C; Gutierrez, Maria J; Gutierrez, Patrick; Haeckel,
       Carolyn A; Haeckel, Michael B; Hall, David Allen; Hart,
 14
       Dublin J; Hartley, Shirley A
 15
       Hatala, Albert F; Hatala, Mary Sue; Herman, David L; Herman,
       Fair M; Herrand, David; Herrand, Diane M; Hill, Carl E;
 16
       Hill, Michael L; Holloway, Ted J:
 17
       Homan, Kristina Fay; Hoover, David R; Hoover, Tammy L;
       Horner Personal Residence Irrevocable Trust Agreement;
18
       Horstmanshoff, Bruce; Howry, Michael; Hronesh, Mark E;
19
       Hughes Family Trust UDT 9-7-95; Ichord, Richard A; Ichord,
       Shirley M; Jaquay, Michelle K; Johnson, Edward D; Johnson,
20
       LaCinda E; Johnson, Michael L; Johnson, William Lay-Faytte
21
       and Joan T Johnson Family Trust; Johnston, Hal B; Johnston,
      Michael W; Johnston, Rosann M; Jones Family Trust;
22
      Jones, Charles Russell & Linda C Trust; Jones, Colleen M;
23
      Jones, Martha J; Jones, Michael L; Jones, Paul F; Jones,
      Willie A Trust; Joplin, Betty; Joy, Donald; Joy, Lori; Jurey,
24
      Clyde W and Sandra D Trust; Kalata, Loretta J; Kalata,
25
      Theodore E; Kaltenbach, Lawrence J; Kaltenbach, Viola;
      Kay, Carlene D; Kay, Frank E; Kay, Leroy C; Kay, Paul G;
26
      Kelley, Francis A; Kelley, Geraldine S Trust; Kelley, Rita J;
27
      Kienbaum, Martha C; Kilgore, James B; Kilgore, Violet D;
      King, Robert F, Jr.; Kinsey, Peggy Leigh; Kirk, Jerri Mae;
28
      Kleve, Jerome H; Kleve, Verna Lee;
```

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 89 of 102

```
Klose, Lyle E; Knight, Madeliene M;
      Knisley, Richard D; Knisley, Rosanna M; Knox, Logan &
 1
      Madge Trust; Knudson, James A; Kostenbader, Steven G;
 2
      Kotler, Gary I & Cathryn A Trust; Kraft, Ricardo M Trust;
      Kraus, Arthur; Kraus, June;
 3
      Kreici, Bill F; Kretschmer, Constance M; Kretschmer, Edward L; )
 4
      Kropelnicki, Alexander; Kropelnicki, Marlene R; Kuzia, Joanna; )
      Kuzia, Leslaw; Kuzmicki, Constantine T; Kuzmicki, Nicolee;
 5
      Kuzmicki, Russell; Labelle, Edith M; Labelle, Gary L; Lacey,
 6
      Jonathan A: Lague, Catherine R;
      Lake, Elaine L; Lamb, Grace R; Lamb, Robert W; Lambert,
 7
      James C: Lambert, Patricia M; Lamkin, Helen; Lance, Lita Jean;
 8
      Lance, Mattie; Lance, Richard Dean; Landers, Jim G; Lang,
      Charles M; Lang, Debra S.; Langford, John R; Lantto,
 9
      Ernest R; Lanzino, Andrew E; Lanzino, Lisa A; Lasater, James
      M & Betty L Trust; Lawrence, Danny L; Lawrence, Diane L;
10
      Ledsinger, Michael D; Lee, Jerry W; Lee, Robert E; Leffler,
11
      Glen A; Leffler, Nadine V; Lemos, Frankie L; Lemos, Guy F;
      Lemos, Jodi L; Lemos, Rodney J; Lerg, Deborah Mae; Lerg,
12
      Roy D; Lerg, Roy D & Deborah Mae Trust; Levay, James;
13
      Leveille, Helen; Leveille, William E; Lewis, Arena F;
      Lewis, Cameron J; Lewis-Ellis, Katherine L;
14
      Lindsey, Claude O; Locklear, Arnold J
15
      & Lysi V Family Trust; Loori, Catherine; Lopez, Baudelio;
      Lopez, Fredrick; Lopez, Maria S; Loveberg, Robert G;
16
      Luers, Dale E; Luers, Devon S; Lumbard, Robert A; Luning,
17
      Eugene T; Luning, Michelle S; Lunsford Family Trust; Lyman,
      Stanley and Bonnie Revocable Trust; Lynch, Charlene F; Lynch,
18
      Daniel B; Lyons, Della M; Lyons, Rolland R; Madera-Ramirez,
19
      Otoniel; Madrid, Joseph I; Madrid, Maria E; Madsen, Russell G
      Trust; Mainarick, Richard M; Mainarick, Susan L; Maldonado,
20
      Efren E; Maldonado, Sylvia; Mamolen, Ellen M; Mamolen,
      Samuel F; Mandeville, Margaret; Mandeville, Walter F;
21
      Manus, Dwayne T; Marshall, Carrie A; Marshall, Theran L;
22
      Mason, Jon E; Mason, Norene E; Massin, Michael R; Massin,
23
      Nancy L; Mata, Nereo C; Mata, Onecimo;
      Matlean, Barbara C; Matlean, Milton; Mattice, Gayle;
24
      Mattice, Lewis W; May, Georgia A; Mayne, Gary F; Mayne,
      Kathy L; McAviney, Christopher A; McAviney, John N, Jr.;
25
      McCandless, Robert R and Frances L Family Trust; McClellan,
26
      Frank; McDermott, Shirley J 2000 Trust; McGuire, Bettie M;
      McGuire, Melanie; McGuire, Michael S; McKay, Gary G;
27
      McKay, Lewis & Judith Family Trust; McLaughlin, Doris;
28
      McMinn, Barbara Ruth; McMurray, Barbara A; McMurray,
```

```
Norman H; Medaris, Joan M; Medaris, Leland H; Meerly,
  1
       Richard O; Mendoza, Jorge Negrete; Menesini, Joseph, Jr.:
       Menesini, Wanda M; Merrithew, Monty C; Mestressat, Cynthia;
  2
       Mestressat, George J; Meyer, Lucinda A; Michelsen, Carole A;
  3
       Michelsen, Ronald J; Micheo, Louis R; Midyett, Patti A;
       Mikonis Family Trust; Milam, Bruce; Milam, Sylvia; Miller,
  4
       Caroline S; Miller, Kris C; Miller, Owen;
       Miser Family Trust; Moffitt, Lance; Moffitt, Marcia; Mollart,
  5
       Cathy S; Mollart, George W, III; Mominee, Bernard; Mominee,
  6
       Diana: Monahan, Daniel J: Monahan, Eleanor L: Monahan,
       Wayne R; Montanaro, Edward C; Montanaro, Mary M;
  7
       Montero, John R; Montero, Sharon A; Montes, Benito; Montes,
  8
       Felicittas; Montes, Maria B; Montes, Oscar Ramos; Montes,
       Senorino; Montes, Taurino R; Moody, John W; Moody,
  9
       Kristine R; Moore, Diana B; Moore, Jeffrey H; Moore, Mark A;
10
       Moore, Robbin Rose; Moore, Ronald W; Moore, Sandra H:
       Moore, Vickie L; Moreda, Edward J; Moreda, Gretta E; Moreda, )
11
       Janet M; Mottin, Jimmy R; Mottin, Nelda R; Mouchou, Barbara
12
       A Trust; Mouchou, John D; Mousseau, Janet; Muniain Family
      Trust; Murphy, Donna P; Nagy, Linda L; Nagy, Michael E:
13
      Nakamua, Janet E. Thompson; Newman, Jon M; Nigos, Cynthia;
14
      Nish, Jesse; O'Connor, John E 1996 Separate Property Trust:
      O'Connor, Marlene A 1996 Separate Property Trust;
15
      Olson, Gerald F:
      Olson, Rochelle; Pedersen, Dan H; Pedersen, Karen P;
16
      Penaloza, Oralia; Perry, Darla Clarke; Perry, Gayle A; Perry,
17
      Janet C; Perry, L James; Petersen, Rosemary E; Pierman,
      Lenda Lou; Pinion Mountain Trust; Pipkin, Jimmy D; Pipkin,
18
      Rose M; Poseley, John Trust; Postal, Clark N; Prouty.
19
      Wayne M, Jr.; Pugh, Gordon; Rauber, Julie M; Rauber,
      Spencer N, Jr.; Raymond, Alice A; Raymond, Gary K;
20
      Reed, Barbara J; Reed, Sandra M; Reese, Lynda C; Rienstra,
21
      Ardenna K; Rienstra, Paul E; Roberts, Christina A; Roberts,
      William P; Robinson, George F; Robinson, Kimberly J;
22
      Robison, Howard R; Rodriguez-Madera, Maria Raquel;
23
      Rogaczewski, David; Rogaczewski, Heather Sue; Rogers.
      Sherrie D; Roseberry, Connie Jo; Roseberry, Kevin D; Ruble,
24
      James H; Ruble, Pauline H; Sallaberry, JoAnn; Schendel Family
25
      Living Trust; Schmidt, Eddie Mae; Schultz, Steven D; Schultz,
      Theresa C; Seal, Lois A; Sebald, Frederick C; Sebald, Leona L;
26
      Seitz, Pamela G Sterling-; Seitz, Paul R; Seldomridge, Jeffry S;
      Silva, Jeanne E; Silva, William J; Simmons, Larry A; Simmons,
27
      Richelene; Simons, Donn; Simons, Jeanne; Singleton, Michael R;)
28
      Sipes, Alden Henry; Sipes, Nancy Jean; Slater, Dennis R:
```

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 91 of 102

```
Slater, Kimberly Ann; Slippey, Twyla; Smith, Barbara L; Smith,
   1
       Thomas H; Spencer, Michele;
       Stanton, Thomas J; Stevens, Bryan T; Stevens, Pamela M;
   Ż
       Stewart, Robert L; Stewart, Terrie L; Stoddard, Cheryl A;
   3
        Sullivan, Alice J; Survera, Bertrand J:
       Survera, Lois C; Taylor, Adrian G; Taylor, Maria D; Tennant,
  4
       Mary Catherine; Tennant, Michael; Thiess, Dale A; Thiess,
       Sharon F; Thomas, Fannie M; Thomasson, Phillip W;
  5
       Tornesello, Michael J; Towery, Cary E; Towery, Cheryl A;
  6
       Tucker, Dona C; Tucker, Phillip E;
       Van Winkle, Raymond, Sr.; Verdugo, Eva;
  7
       Verdugo, Jose; Walker, Summer N; Walker, Travis L; Wallin,
  8
       Diana R: Warren, Robert James; Weaver, Yvette; Weeks,
       Arlene Joy; Weeks, Mike L; Westerman, Paula S; Westerman,
  9
       Theodore N, Jr.; Whitesides, Joella J; Whitesides, Todd K;
 10
       Wilder, John J; Wilder, Lin C; Wilders, Maudy E; Wilders,
       Robert; Willingham, Ada L; Willingham, Lawrence O;
 11
       Wirthwein Family Trust; Zahradnik,
12
       Catherine M; Zahradnik, David V; Zarazua-Mata, Abel:
       Zarazua-Mata, Rafaela; Zarazua-Montes, Liboria; Zippwald,
13
       Darlene S; Zippwald, Jack C.
14
       "A" Enterprise; Baltrusch, Sabrina; Bell, Carl D.; Beronio
15
      Family 1995 Trust; Brown Joint Living Trust; Cates, Tonia D.
      Cook 1994 Revocable Living Trust; Farrar Family Trust:
16
       14 Sara Circle Land Trust; Giraud, Louis J; Giraud, Marie;
17
      Rex A. & Sandra J. Hartwick Family Trust; Hayes, Edward P.
      Klose, Carrie; Kreamer, Cherryl L.; Kreamer, James P.:
18
      Lackore Revocable Family Trust; Leiter, Linda Kathleen;
19
      Mathews, Myrtle Alberta Family Trust; Miller, Vernon L. and
      Caroline S. Family Trust; Mouchou, Renee; Nakamura, Janet
20
      E. Thompson; Sanchez, Doris S.; Sanchez, Samuel Julian;
21
      Valladao Trust; Verna, Nancy A; Verna, Steven E.;
      Williams, Murl E., Jr.
22
23
      Abrott, John E; Abrott, Maralyn; Acciari, Catherine M;
      Acciari, Joseph R; Acosta, Carole F; Acosta, Rudolph E;
24
      Adams, Hazen R; Adams, Mary A; Adams, Melody A;
25
      Adrian Family Trust; Aiazzi, Denise N; Aiazzi, Pete A. and
      Estelle M. Trust; Aiazzi, Stephen E; Aiken, Susan Sedgwick;
26
      Algeo Family Revocable Trust; Altman, Carol E; Altman, Mary I;)
      Alvarez Family Revocable Living Trust; Andersen, F Elaine;
27
      Andersen, Morries Jr.; Anderson, Arnold L; Anderson, Darrell E; )
28
      Andrews, Horton R Trust; Angeles, Ernie A; Arentz, Sam S, III; )
```

```
Arentz, Trudie C; Armstrong, David E; Armstrong, Marge A;
  1
       Atchison, Dennis W; Atwood, John G, Jr.: Ausmus, John A:
       Balbini, Arthur Ronald Trust; Baran, James J; Baran, Susan M;
  2
       Barcellos, Vicki L; Barr, Sharron; Bartels, Marvin E; Bartlett,
       Darlene: Bartlett, Donald L. Bauhofer, William L. Baumgartner.
  3
       Beverly, Baumgartner, John G. Beal, Donna J. Beal, Linda:
  4
       Beal, Steven: Bean, Kenneth R. and Ethel R. Bean Family Trust:
       Beaton, Christopher S; Beaton, Darci L. Mundello-; Bell, Brian
  5
       William: Bentley, Don and Patty S. Bentley Family Trust:
  6
       Bergin, Leo P. III: Bernard, Adrian L: Bernard, Donald J:
      Berrington Custom Hay Hauling, Stacking and Transportation, Inc; )
  7
      Berrington, Jean M; Berry, Alta E; Berry, Barbara L; Berry,
 8
      Robert J; Berry, Stephen F; Bertrand, Linville F; Berumen, Juan )
      Luis Reyes; Bettencourt, Jessica M; Bettencourt, Lawrence;
 9
      Bettencourt, Mary J; Bezaviff, Julia; Bezaviff, Roger; Biggs,
10
      Edward W: Biggs, Robin A; Bilbao, David A; Bilbao, Patricia E; )
      Bingeman, Gene Family Trust; Birk, Ronald G; Blackburn, Dale
11
      G: Blackburn, Eve L: Blanks, Gerald D: Blanks, Sharon E:
12
      Bohler, Steven A; Boileau, Gerial; Bonnet, Laurie A; Bonnet,
      Mason L: Boucher, Christine; Boucher, Michael D; Bradley,
13
      Darrell D; Bradley, Jeni; Bray, William J, Sr.; Brownell,
      Camella M; Brownell, Dean G; Bruhn, Eugene L; Bruhn,
14
      Nickels Lewis: Bryan, Gordon D; Bryan, Helen M; Chappell,
15
      Dana; Clark, Bruce A; Cline, Carolyn K. Zieszler-; Cline, Jack R;)
      Crawford, Larry D; Crowley, Jon D; Crowley, Teresa G; Crumé, )
16
      Gail Herrera; Crumé, Henry Haskell; Davis, Gregory A; Davis,
17
      Terri L; DeChambeau, Jack; DeChambeau, Susan J; Delucca
      2004 Rev. Trust; Dickey, Cinda; Dickmann, David C;
18
      Diekmann, Greg E; Dockum, Cheryl F; Dockum, Don M;
19
      Dressler, Estate of Milton N. Sr.; Dunn, Leo Patrick 2004 Trust;
      Echard, Deborah Lynn; Echard, James Edward; Eller, Colby D;
20
      Eller, Julia C; Espitia, Margarita; Eversult, Robert A; Eversult,
21
      Shirley A; Far West Construction; Flores, Angel Espitia;
      Fowler, Penelope; Fowler, Terry G; Fuller, Robert B; Fuller,
22
      Vera N; Fullerton, Carolyn J; Fulstone, R N Inc. Ranches;
23
      Gardner, Ken & Dorothy Trust; Garman, William W;
      Garrison, Annett; Garrison, Donald L; Golden Honey
24
      Bear Trust; Gourley, John R; Gourley, Patricia Lynn;
25
      Greenberg, Barbara Carol; Greenberg, Raymond John; Grooms
      Family Trust; Hagen, Cheryl S; Hagen, Mike; Haight, Sonnie L;
26
      Haight, Theodore David; Hakin, Carl E; Hakin, Joyce Lynn;
      Hall, James B; Halstead, Judy; Ham, Dana C; Ham, Franklin C;
27
      Hamlett, Robert A, II; Hana, Bob E; Hana, Carmela R;
28
      Hansston, Anna J. Family Trust; Hanusiak, Greg; Hardesty,
```

#### Case 3:73 cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 93 of 102

```
Gary W: Hardesty, Karen K; Hardison, James L; Hardison,
  1
       Marlene; Harker Family Trust; Harper, George R; Harper,
       Patricia C; Harrell, Dennis E; Harrell, Joy; Harrington, Jean M:
  2
       Harrington, Roger A; Hawkins, Michael James; Hefner, Marcia E;)
  3
       Hefner, Tommy M; Hicks Family Trust; Hipple Family Trust;
       Hodges. Carol Lee; Hodges, Donald Lee; Hughes, Kathleen:
  4
       Hughes, Richard W; Hughes, Ted O and Marian Trust; Hughes,
  5
       Tony and Sharon Family Trust; Incopero, Frank Vincent;
       Jones, Arthur L., Sr.; Jones, Barbara A; Jones, Debra L;
  6
       Kates, Carolyn M; Kirchner, Michael & Karen Family Trust:
       Knapp, Dennis R; Kutschenreuter, Herman J; Kutschenreuter, Sue:)
  7
       Laumer Living Trust; Leavitt, Brian B; Leavitt, Kim S; Lee,
  8
       Blair H; Lenning, Grace A; Lenning, James L; Litterer, Jeffrey S;)
       Litterer, Therese A; Lynch, Betty L; Lynch, Donald B;
  9
       MacBlane, Gary R; Mack, Eugenie H; Mack, Luther;
 10
       MacMannus, Leslie J; Maineline Vinyl Sheeting Corp.; Mason,
       Bernadine K; Mason, Evered J; Mathas, John A; Mathas,
 11
       Nancy J; McCarthy, Michael R; McCarthy, Michaele Ann
12
       Campoy; McGarity, David Hoyt; McGarity, Mary Colleen;
       Me-Too, Inc.; Mosby, Jack L; Mosby, Rena A;
13
       Murphy Revocable Trust u/d/t 7-22-98; Nall, Lucille G:
14
       Nesbit, Edwin E; Nesbit, Pamella H; Neubauer, Nancy M;
       Nickum, Kelly L; Norby, Daniel A; Norman, Ruth A 1991 Trust; )
15
       Oliver, Alan W; Oliver, Jo M; Oreb Trust; Parker, Emily Grace;
      Parker, Susan Emily; Parrott, Cherylin K; Parrott, Harold T;
16
      Peck, Michael; Pepple, Grace; Pepple, James L;
17
      Perkins, Carol Louise Family Trust; Petersen, Martin W;
      Petersen, Natalie; Petersen, Norma D; Petrak, Jack R;
18
      Pinion Ranch Estates, LLC; Pitt, Sharlet L. 1993 Trust; Pulido,
19
      Jesse H; Pulido, Margaret G; Remick, Frank W; Remick,
      Janice I; Riley, Patricia; Roseberry, Jacob E; Roseberry,
20
      Kimberly R; SV Development; Savage, John A; Savidge, Dale A;
21
      Savidge, Maureen P; Schmidt, Leonard L; Schwake,
      Frederick W; Schwake, Patricia R; Schwandt, Rudolph A;
22
      Scodak, Judy; Scodak, Stephen; Scott, Dorothy L;,
23
      Seldomridge, Patricia D; Sellers, Brenda; Sellers, Carol Jean;
      Sellers, Frederick E; Sellers, Larry W; Seubert, Donald R and
24
      Sophia Trust; Severinsen, Darrell R; Severinsen, Sheryl A;
25
      Seward, John F, Sr.; Seward, Joyce A; Shaffer, Timothy M;
      Shaw, Lee; Sherwood, Helen L; Singleton, Charles M;
26
      Singleton, Rose M; Sipple, Anthony Joseph; Sipple, Cathryn A;
27
      Skaggs Family Trust; Smith, Anthony K; Smith, Christine R;
      Smith, Kenneth M; Smith, Richard R, Sr.; Smith, Shirley K;
28
      Smith, William S; Solway, Nancy L; Solway, Walter T, Jr.:
```

### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 94 of 102

```
Soukup, Andrew J; Soukup, Lee; Soukup, Lisa; South Lyon
        County Hospital District; Sovereign Enterprises, LLC; Spahn,
    1
        Donna J; Spezzi, Donna M; Spezzi, Stanley R; Spooner,
    2
        Kenneth C; Spooner, Margaret M; Springs, Carol L, Springs,
        Louis D; Spurgeon, Elbert C 2004 Family Trust; Spurlock,
    3
        Melvin R; St. Jean, Wilfred and Roma Trust; Stanley Family
    4
        Trust dtd 12/11/97; Stanton, Michael J; Steele, Gary P; Steele,
        Helen L; Steele, Stephanie L; Stephens, Kathleen E; Stephens,
   5
        Ronald L; Stewart, Kathleen L; Stewart, Kim K; Stiles, Nancy A;)
   6
        Stokes, Albert E; Stokes, Susan M; Storey, Arthur L; Stutts,
        Cheryl; Stutts, Larry; TPKW Family, LP; Tanaka, Cindy;
   7
        Teodorski, Tanya M; Testa, Anthony J; Testa, Judith K;
   8
        Tibbals, Joseph W; Tibbals, Margaret F; Tiscareno, Hope E;
        Tiscareno, Juan P; Towne, Catherine L; Tucker, Richard Allan;
       Tucker, Sandra Kaye; Turner, Jo Anne; Uhland Family Trust;
  10
       Urrea, Marjorie L; Valentino Family Trust; Van Norman,
       Charles V; Van Norman, Linda Dianne; Van Winkle, Raymond W;)
 11
       Vial, Sandy Marie; VonSeeburg, John A and Lorraine E
 12
       Revocable Trust; Wade/Fernley, LP; Washington, Bonnie;
       Wawers, Sylvia C; Welle, Patricia C; Weller, Bessie A;
 13
       Weller, William H; Whitaker, Richard S; White, Kirk Family
 14
       Trust; Wiant Living Trust; Wilcox, Eric Kenneth Trust;
       Wilkerson, Dennis L; Wilkerson, Elouise M; Williams, Gypsy;
 15
       Williams, Phyllis; Willis, Marlene D; Willis, Randall D;
       Wilson, Martha; Wilson, Wylie; Wirthwein Survivor's Trust
 16
       Wray, Camille G Trust; Yerington Ventures, LLC;
 17
       Young, Daniel & Shelby Revocable Living Trust;
       Zumpft, Charles W and Karen M Family Trust
 18
19
      Arellano, Noel; Arellano, Rosalba; Baker, Kenneth E; Baker,
       Linda M; Berrington, Phyllis; Blandin, Nancy L; Bobula
20
      Living Trust dtd 12/03/97; Borden, Donn T; Boudreau, Hilary H;)
21
      Boudreau, Michael P; Bowden Family Trust dtd 3/23/00, Bowen,)
      Mary Lisa; Bowen, Wallice; Bowman, Ann M; Bowman,
22
      Wayne D; Bowman, William R; Brigham, Jeanne Diane; Brown, )
23
      David A; Brown, Rose L; Brown, Wesley W and Clara A Living)
      Trust; Brusse, Janet Q; Brusse, Larry A; Bump, Delbert W;
24
      Bunch, Suzanne E; Burchell, Clyde E; Burchell, Teresa J;
25
      Burton, Robert A; Bush, Lota Trust; Buskirk, Diane; Butler,
      Arlene J; Butler, Donald L; Butler, Lee G; Butler, Shannel C;
26
      Butcher, Terry E; Clyde, Shawn M; Clyde, Vicki A; Cooper,
      Leon L; Cooper, Mary Ann; Cummings, Dianna L; Cummings,
27
      Edward M; Curtis, Launa; Curtis, Steve; Cutright, Ginger L;
28
      Cutright, Maxwell K; Dahlin, Patricia L Trust; Dalrymple,
                                                                    )
```

#### Case 3:7β-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 95 of 102

```
Donald D; Damron, Eunice M. Trust; Dane, Albert J; Dane,
     Judy H; Daniels, Jessica Barlow; Daniels, John E; Darling,
1
     Jim S; Darling, Sheena G; Davidson, Dennis; Davidson, Joni S; )
 2
      Davidson, Nathan S; Davis Family Trust dtd 2/11/93:
      Survivor's Trust of the Day Family Trust; Day, Bobby R; Day,
 3
      Helen M; Debusk, Annette G; Debusk, W Michael; Decorte,
 4
      Samuel; Decorte, Tony; DeForest, Kent; DeForest, Lisa A;
      DeGeorgis, Diane; Deines, Jerry V; Deines, Virginia M;
 5
      Deitrick, April Christine; Deitrick, Kirt Allen; Del Porto,
 6
      Christi Linn; Del Porto, Frank M; Demello, Jody; Denny,
      Douglas M; Denny, Martha D; DeWitt, Herman Sr.: DeWitt,
 7
      Susan M; DeWitt, Wanda J; Dibble, Deborah L; Dibble, John K;)
 8
      Diehl, Anna; Diehl, Francis K; Dieneman, David P; Dieneman,
      Sandi P; Dillon, Lyle J; Disbrow, Carolyn L; Disbrow, Peter H; )
 9
      Doering, Jeanette; Doering, Robert E; Douglas, Barbara A;
      Douglas, Michael A; Doyle Family Trust dtd 12/30/04; Dunlap,
10
      James T; Dunlap, Vicki L; Easton, Katheryn B; Easton,
11
      Robert L; Eberhart, Elmer L; Eckstein, Michael L; ECT Family
      Trust; Edney, Lorrie; Edney, Rick W; Edwards, Scott Lee;
12
      Eernisse, Janet B; Eernisse, Richard F; Erbin, Don; Espinoza,
13
      Jerry M; Espinoza, Wanda L; Euler, James Crookham;
      Evasovic, Les T; Evasovic, Michelle; Faacks, Billie Jean;
14
      Faacks, Kenneth D; Falkenstein, A Jerry; Faulkner, Angel Renae;)
15
      Faulkner, Mark R; Favor, Ida Lee; Fawcett, Herbert J; Fawcett,
      Kathy M; Fawcett, Roger L; Fentiman, Brenda G; Fentiman,
16
      Donald H; Fesenmaier, Mary; Fesenmaier, Michael; Fields,
17
      Roy O; Florio, Michael P; Focha, Judith C; Focha, Peter A;
      Foss, James Edward; Fowler, Marlene A; Fowler, Walter C;
18
      Frame, Charles R; Frechette, Bruce; Freeland, Matthew J;
19
      Freeland, Rebecca S; Frishman, Steve; Frishman, Sue;
      Frugoli, Walter L; Fuller, Jack R; Fuller, Reba J; Fulton,
20
      Danny L; Fulstone, R N Co.; Gable Living Trust; Galantuomini,)
      Steven J; Galvin, Kaylyn; Galvin, Matthew J; Gaminiam,
21
      Jeanne Trust; Gansberg, Ellen C; Gansberg, Leroy D; Gant,
22
      Desiree D; Gant, Kent E; Garafano, George; Garcia, Stephen
      C and Cheryl A Family Trust; Garmong, Gregoroy; Gates,
23
      Edward A, Sr.; Gates, Susanne; Gauldin, R Jackson and
24
      Kathryn B Trust dtd 3/14/97; Geissinger, Catherine L;
      Geissinger, Mitchell J; Geissinger, Terri; Gutierrez, Alvara;
25
      Gutierrez, Guadalupe; Guy, Hazel L; Guy, Lillie S;
26
      Hakansson, Margaret; Hakansson, Michael; Hernandez, Juan P; )
      Hernandez, Obdulia A; Holcomb, Ronald J; Holcomb, Shauna L;)
27
      Jaquay, Michael Vincent; Johns, Daniel C; Johnson, Christine;
28
      Johnson, Eric M; Johnson, John R; Johnson, Suzanne F;
```

#### Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 96 of 102

```
Jordon, Jeannette; Jordon, John E; Kimball, Johnnie F; LaFleur, )
      Lawrence V; LaFleur, Nicole; Mason, Margaret; McDonald,
 1
      Bill A: McDonald, Donna G: Merrill, Robert H; Moore,
 2
      Harold Trust; Morgan, Dawn S; Morgan, Jacquelyn; Morgan,
      Kenneth L, Sr.; Morgan, Mark L; Nelson, Henry P, Jr.;
 3
      Nelson, Joan G; Neville Sandra F; Parmar, Inder J; Parmar,
 4
      Kathy L; Petcar Family 1997 Trust; Pierson, Norman E;
      Pierson, Roxana J; Pike, Sharon L; Pinkstaff, David M;
 5
      Ramirez, Antonio; Ramirez, Maria A; Riley, Tom; Rose,
 6
      George W; Rose, Winnie O; Sanderson, Janet A; Scandrett,
      Janice Ann: Scandrett, Rondal R: Schroeder, Fritz H: Schroeder,)
 7
      Janna A; Shafer Family Trust u/d/t/ 4-20-95; Shirk, Neil;
 8
      Shultz, Frank D; Shultz, Kirk D; Sidener Cora M; Simkins,
      Edward A. Jr.: Simkins, Kristina L: Sinclair, Dawn M:
 9
      Sinclair, Robert K; Singley, Erin M; Smith, Clint D; Smith,
10
      Loretta B: Soderquist, Dan: Soderquist, Kitti; Stockwell,
      Robert T; Stout, Amelia M; Stout, Earl D; Street, Dan S;
11
      Street, Diane J; Sturgeon, Cheryl L; Sturgeon, Ronald L;
12
      Sturtevant, Floyd M; Sturtevant, Georgia C; Swain, David F;
      Swain, Mary Alice; Swanson, Kenneth J; Swirsky, Charley A;
13
      Swirsky, Paula; Taylor, Brian L; Taylor, Jenifer A; Taylor,
      Randall L; Tenbrook, Thomas; Thieme, Marsha A; Thieme,
14
      Michael D; Thomas, Charles S; Thomas, Janet A; Thompson,
15
      Jeanne M; Thompson, Lawrence D; Thran, Linda D; Thran,
      Richard W: Tola, Jean E: Tola, Paul S: Townsend, Leigh M;
16
      Townsend, Pauline H; Tran, Laurill; Tran, Thomas M;
17
      Triplett, Edna J; Triplett, Everett M; Urrea, Robert J; Urrea,
      Susan T; Urschel, Ninetta M; Urschel, Victor P; Valentine,
18
      Keith; Vaught, John L; Vaught, Veronica T; Vawter, Deborah K;)
19
      Vawter, Eric James; Walter, Beverly J; Walter, Diane J;
      Walter, John L; Warr, Dawna L; Watters, Glenn; Watters,
20
      Helen P; Weaver, Dayleen; Weaver, Vince; Weller, Harold E;
21
      Weller, Patricia; Williams, Mary L; Williams, Stanley E;
      Wolf, Mark A; Wolf, Paulette; Wood, Judith Lee; Woodward.
22
      Arthur R; Woodward, Bonnie L; Wright, George L; Wright,
23
      Gerald J; Wright, Laura P; Wright, Mary Lee
24
      Adams, Lisa Ann; Adams, Steven William; Allerman, LaDell;
25
      Andersen, Peter C Trust; Arellano, Cruz Maria; Arellano, Miguel)
      Arlit, Michael; Arlit, Sherri; Beckham, Carolee B; Bell, Mark R;)
26
      Benigno, Dhana; Benigno, Joe; Calka, William G; Capra,
      Ginger; Capra, Lloyd; Carter, Charles H; Carter, Mary K;
                                                                     )
27
      Chavez, Jamie D; Chavez, Robert W; Christine, Lauri; Clark,
                                                                     )
28
      Bruce A Estate: Clark, Freddie G; Clark, Gloria M; Clarke,
```

### Case 3:73 cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 97 of 102

```
Kimlana E; Claverie, John M; Cleary, John J Trust; Corbit.
1
     June K; D & G Investments; Davis, Catherine Louise; Davis
     John Nicholas: Del Porto, Donna; Del Porto, Robert; Demeza,
2
     Rosa Sanchez; Diekmann, Richard J; Dillon, Lyle J Estate:
     Eckstein, Clemencia C; Elder, Delvin L; Elder, Donna Carol;
3
     Enders, Nancy Lee; Epstein, Kim B; Epstein, Nancy L; Fenton,
4
     Jessey C; Fernandez, Janet; Foster, Stephanie S; Gangwish.
     Phillip W and Karen L Trust; Ganimian, Jeanne; Garretson,
5
     Christopher P; Grimes, Helen M; Grimes, James G; Hammond
6
     1995 Family Trust; Hana Family Trust; Harris, Jerry F; Harris,
    Royal J; Hernandez, Elsie Douglas; Hernandez, Feliciano:
7
    Hines, Laura LaPierre-; Hines, Timothy C: Hiskett, Darlene M:
8
    Horton, Alice G; Horton, Joseph S; Hustace, Donna K; Hustace, )
    Thomas E; Hutchison, James C and Florence M Trust:
    Inderbieten, Linda J; Inderbieten, Robert M; Ingersoll, Allene;
    Ingersoll, Kim; Ingle, Janet L; Ingersoll, Robert; Johnson,
    Charles Richard; Johnson, Larry P; Johnson, Lois Florence;
    Johnson, Stephonie J; Kahn, Joan M; Kahn, Richard H; Kern,
    Carol M; Kirby, Jeff Homes, Inc.; Kirkpatrick, Melvin Trust;
    Klock, Karen; Knight, Cynthia; Knight, Martin; Lerg, Roy F
    Family Trust; Lewis, Kenneth; Linebarger, Neal S;
    Linebarger, Patricia A; Long, James M; Long, Rhonda L;
    Mason, Edward L; Mason, Jo-An P; McCammond, Wade Brian; )
    McCammond, Crystal R; McClure, Daniel M; McClure, Rachel
    M Holbrook-; McGaughey, Kenneth L; McGaughey, Lois Y:
    McNeil, Alvin H; Meza, Bernardino; Meza, Ignacio; Miller,
    Suzanne; Mills, Robert Clifford; Mizer, Matthew C; Moon,
    Victoria; Oelschlager, Dorothy Trust; Ogden, Larry Jr.: Olson,
    Alan R; Olson, Diane G; Pangburn, Linda J; Pannozzo, Joy M;
    Pannozzo, Stephen C; Pederson, Wayne A; Perez, Daniel E;
    Perez, Melinda; Post, Delores; Rees Trust dtd 4-14-03; Reese,
    Oscar N Family Trust; Reiland, Rex W Trust; Reneau, Jack;
    Roberts, J & S Trust dtd 2-26-96; Roeder Family Trust dtd
    March 5, 2004; Rogers, Douglas H; Rogers, Julie A; Rycroft,
    George E; Rycroft, Patricia A; Sanford, Bruce K; Sanford,
    Lynda L; Sarkisian, Joanne; Sarkisian, John G; Savage, Henry
    L. Jr.; Savage, Laura; Shorter Jerry W; Shorter, Judith L;
    Singleton, James M; Singleton, Leah; Smith, 2003 DN Family
    Trust; Smith Valley Enterprises, Ltd.; Smith Valley Methodist
    Church; Stearns, Martin D; Stearns, Monique; Sterling Trust
    Company; Talbott, Larry F; Talbott, Sherry L; TAM Properties, )
    Inc.; Taplin, James E; Taplin, Michele; Thomas, Robert C and )
    Janice 2004 Trust Agreement; Thompson, Andrew E; Thompson,)
    Dale W; Thompson, Edith O; Thompson, Priscilla J; Tibbals.
```

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

# Case 3:73 cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 98 of 102

```
Brock; Tibbals, Lisa; Tippets, Ruth A; Tippets, Thomas D;
        Tran, James R; Trute, M Kathy; Turnage, Robert; Tyson, Kim E;)
    1
        Upton, Russell Wayne, Sr.; Upton, Sherry Manring; Valim,
    2
        Catherine M; Van Dusen, Denise C; Veil, Bryan R; Veil, Leila )
        C; Venables, Charles N; Veterans, Tammy Jean; Vidal, Frances )
   3
        R; Vidal, T Michael; Voss, Audrey J; Wachtel, Emil Joseph;
   4
        Walsh, Helena M Smith-; Walsh, James J; Walter Living Trust; )
        Warzynski, Deborah A; Warzynski, Robert R; Watson, Troy
   5
        Allen; Wellock, Tammy L; Wellock, William S; Welsh, Barton )
   6
        W; Welsh, Olivia W; Wenzel, Agnes M; Wertz, Anna L;
        Wertz, Donald R, Sr.; West, Cheryle A; West, Robert W, Jr.;
   7
        Whipple Family 2001 Trust; Whitlock 2002 Trust; Wilkins,
   8
       Colin; Wilkins, Gale; Wilkinson, Gary and Roni Living Trust;
       Williams, A Harvey; Williams, John Cameron; Wilson,
  .9
       Patricia Ann; Wilson, Woodrow G; Wood, Aloha; Wood,
 10
       Marty Dale; Wood, Vince.
 11
 12
 13
                             Counterdefendants,
             All known Claimants to Groundwater and Water of the
 14
            Walker River and its Tributaries in the State of Nevada
 15
                         and the State of California.
 16
                Complete Caption to be Served at a Later Date
17
18
19
20
21
22
23
24
25
26
```

27

# Case 3:73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 99 of 102

# FIRST AMENDED COUNTERCLAIM OF THE

In its order of October 30, 1992, (document #15) the Court found that the counterclaim filed by the Walker River Painte Tribe ("Tribe") (document #1) on March 18, 1992, against the Walker River Irrigation District ("WRID") should have been filed as a cross-claim since the Tribe and the WRID were co-plaintiffs with regard to their assertions against the California State Water Resources Control Board. However, the Court also determined that the designation given by the Tribe would remain. In light of the Court's order, the Tribe files this first amended counterclaim as follows:

#### INTRODUCTION

- This first amended counterclaim is for the recognition of a right to store water 1. in Weber Reservoir for use on the lands of the Walker River Indian Reservation ("Reservation"), including the lands restored to the Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1936), as amended by, Stipulation and Agreement for Entry of Amended Final Decree Pursuant to Writ of Mandate of the Circuit Court of Appeals - Ninth Circuit - and also Amended Decree entered herein on April 15, 1936 to Clarify Certain Provisions Thereof, approved by, Order for Entry of Amended Final Decree to Conform to Writ of Mandate, etc., United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1940) ("Final Decree").
- This first amended counterclaim is also for recognition of a right reserved under federal law to use surface water from the Walker River on the lands restored to the

- 24 -

4

3

5

8 9

10 11

12 13

14 15

16

17 18

19

20 21

22

23 24

25

26

# 73-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 100 of 102

Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in the Final Decree.

3. This first amended counterclaim is also for recognition of a right reserved under federal law to use groundwater underlying and adjacent to the lands of the Reservation, including groundwater underlying and adjacent to the lands restored to the Reservation in 1936, on the lands of the Reservation, including the lands restored to the Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in the Final Decree.

#### JURISDICTION

4. Jurisdiction over this first amended counterclaim is pursuant to: a) the continuing jurisdiction of the Court over the waters of Walker River and its tributaries in California and Nevada, Final Decree ¶ XIV; b) 28 U.S.C. § 1331, in that this counterclaim arises under the Constitution, laws or treaties of the United States; c) 28 U.S.C. § 1362, in that this counterclaim is brought by the Tribe and arises under the Constitution, laws or treaties of the United States; d) 28 U.S.C. § 1367 which vests the Court with supplemental jurisdiction; and e) 28 U.S.C. § 1651 which authorizes the Court to issue all writs necessary or appropriate in aid of its jurisdiction.

#### **PARTIES**

5. The Tribe is a federally-recognized Indian Tribe organized under the Indian Reorganization Act, 25 U.S.C. §§ 461, 462, 463, 464, 465, 466-470, 471, 472, 473, 474, 475, 476-478, 479. The Reservation was established in 1859 with a land base of approximately 320,000 acres. Certain lands which were originally a part of the Reservation

# Case 3:78-cv-00127-MMD-WGC Document 1 Filed 12/23/08 Page 101 of 102

were restored to the Reservation on September 25, 1936, pursuant to the Act of June 22, 1936, 49 Stat. 1806-07.

6. Counterdefendants are the WRID, the State of Nevada, and all claimants to the waters of the Walker River and its tributaries, including groundwater.

# GENERAL ALLEGATIONS

- 7. The Tribe currently is entitled to use 26.25 cubic feet per second from the Walker River and its tributaries, with a priority date of November 29, 1859, to irrigate 2,100 acres of land on the Reservation as it existed before September 25, 1936. Final Decree 11.
- 8. Subsequent to April 14, 1936, numerous persons and other entities, including the United States, have appropriated additional waters from the Walker River Basin and its tributaries. In many instances, such claims to the use of water have not been subject to any adjudicative process.
- 9. Weber Reservoir is a federally-constructed reservoir located on the Reservation with a storage capacity of approximately 13,000 acre feet. Portions of the reservoir were completed in 1935, and floodgates were added in 1937. The Tribe is entitled to store water from the Walker River in Weber Reservoir for all purposes recognized under federal law including but not limited to irrigation, stock watering, fish and wildlife, and domestic uses.
- 10. By the use of Weber Reservoir to store water, the Tribe can irrigate more than the 2,100 acres which it is entitled to irrigate under the terms of the Final Decree.
- 11. The Tribe's priority date for storage in Weber Reservoir is April 15, 1936. The Tribe claims 13,000 acre feet plus evaporation and seepage.
- 12. The Act of June 22, 1936, 49 Stat. 1806-07, authorized the Secretary of the Interior to set aside certain lands as an addition to the Reservation for the benefit of the Tribe.

5

In accordance with that legislation, by Order dated September 25, 1936, the Secretary restored to the Reservation approximately 167,460 acres.

- 13. The Tribe is entitled to use water from the Walker River on the lands restored to the Reservation in 1936 for all purposes recognized under federal law including but not limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.
- 14. The instant suit, commenced by the United States in 1924, was brought to quiet title and only concerned the water rights for use on the Reservation as the boundaries existed at the time the suit was commenced. The suit did not adjudicate the groundwater rights of any of the parties in the litigation.
- 15. The Tribe is entitled to use groundwater underlying and adjacent to the lands within the Reservation, including groundwater underlying and adjacent to the lands restored to the Reservation in 1936, for all purposes recognized under federal law including but not limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.
- 16. Paragraph XIV of the Final Decree provides that this Court retains jurisdiction for modification of this decree.

#### FIRST CLAIM FOR RELIEF

- 17. Paragraphs 1-16 are incorporated herein by reference.
- 18. The Tribe is entitled to store water from the Walker River in Weber Reservoir for all purposes recognized under federal law. The Tribe's right to store water in Weber Reservoir has a priority date of April 15, 1936.

#### SECOND CLAIM FOR RELIEF

19. Paragraphs 1-16 are incorporated herein by reference.